— Ram Sharma

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MAIN CURRENTS

OF

BRITISH INDIAN HISTORY.

1757 to 1930

BY

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HISTORIANS OF BRITISH INDIA.

Partiality of Historians, the end and the means, two Schools of British Indian History, lines of cleavage, political acquisition, James Mill and his school, differing estimate of empire builders, exaggerations of both these schools, Roberts' verdict.

It is a commonplace of history that historians need not be partizans. But the study of history is a study of the past with a view to understand the present and foresee the future. Every movement, however small, and every institution, however insignificant, has had its share in the building up of the present superstructure of a country's institutions. Thus when fierce controversay rages round the present institutions of a country and the future destiny thereof, it is but natural that historians should be influenced one way or the other by the politics of the day. When we expect them to be impartial, it is not their conclusions which we have in mind, but their selection and use of their material. For the fact is, that if a historian is judicial and fair in the selection of his material, he may sometimes lead us to arrive at conclusions contrary to his own. We need not, therefore,

grudge him his indulgence in partizanship to that extent.

There is another source of danger as well. This comes from the catholic doctrine that the end justifies the means. There is a school of thought which consciously holds this view, but there is a still larger number of people who frame their conclusions unconsciously acting on this principle. Historians, as well as men of the world. may belong to this school of thought. This bring out another cause of the divergence of opinion between two sections of historians. For there are moralists, as well as historians, who hold that means are to be judged by themselves, apart from the end that they serve. They cite out the case of the Jesuits who came to condone horrible offences in the service of the Church, and they think that similarly heinous crimes may come to be justified when done in the service of the country. They, therefore, stand out for examining every incident by itself, though they would allow in their appraising thereof due place to the motives that actuated their authors.

Both these causes have produced two divergent sections of Historians of the British period

of Indian History. Some of the recent writers on the subject, Dr. Smith, Mr. Dodwell, and Mr. Forest, among others, seem to feel that the present demand of Indians for their share in the administration of their country is an arraignment of the past administration of their country by the British Government. With this conscious, but in most cases unconscious feeling at the bottom of their heart, they take up the task of justifying almost every incident in the British acquisition and administrotion of India. Here they are helped by the second of these lines of cleavage. Every incident, good or bad, helped in the setting up of the British Empire in India and thus terminating the anarchy and chaos that prevailed at that time. Apart, therefore, from the justifiability or otherwise of the incident, they treat it as a link in the chain of this happy result. As the strength of a chain lies in its weakest link, they are again led to the task of justifying all the incidents that they possibly can. They are not partial in most cases except in their conclusions. They have no idea that there might be another view of things different from

theirs. And happy in this lack of knowledge they go on with their laudable work.

But, as we said, there can be another school of thought as well. It may or may not desire to take part in the political controversies of the day, but its divergence from the school treated above comes most in the second respect. Of course, there are some recent Indian writers on the subject—we may choose Major Basu as their representative—who, tired of hearing the British administration in India praised so often, and smarting under the opposition to the demands of Indians for their share in the administration of their country, take up the attitude, that in order to gain further advance it is well to prove that all is not only not well with the past British Administration of India, but that most of it is so absurdly bad, that it must drown all opposition to the claims of Indians. They feel, and wrongly, that if they can substantiate that the British did not come fairly by this Empire, it would favour the present claims of the Indians that they should now hand over the administration of the country to them. They forget, that in political acquisition, possession is never invali-

dated by a flaw in the title deed and that possession is possession for all that.

But, as we said above, it is not with this class of historians that we are here concerned so much ; there is another class of writers which differs from the first class in holding that the end does not always justify the means and that it is always necessary to look closely into an incident itself. This class is represented by James Mill, Macaulay, Burke, and a host of other writers of the nineteenth century. They were not concerned with the final British acquisition of India, they were not imperialists, glorying in the fact of the extensive possessions of England in the East, they were, in a way, Little-Englanders. They could thus study the problems of British Indian History with detachment now impossible. That is why we find them so dispassionately studying the work of the early empire-builders in India—Clive, Warren Hastings, and Wellesley, among others. Of course, this school had its own failings. They became overharsh in their judgments of the earlier players in British Indian History, because to them they were nothing more than mere administrators sent out to govern nations

abroad. The final outcome of the seed that they had sown was as yet hidden from them and they were not influenced by its knowledge. Another cause of exaggeration came in the then widely held belief that principles of Political Administration were universal in their operations and that what was good for the eighteenth-century England was equally good, nay necessary, for the eighteenth-century India. The historical school of political philosophy had yet to be founded, and, therefore, these writers set up an universal standard of political conduct, which was as equally applicable to India as to any other part of the world. This in a way gave their judgments a deeper colour than they would have otherwise acquired.

These two different schools can be well studied in their attitude towards the early empire builders. Dodwell and Hill are all aglow in their praises of Clive for example; Smith, Forest, and Wilson are no less so in case of Warren Hastings, 'the ablest of the able men who have given to Britain her empire in the East;' Wellesley is as easily let off by Sidney Owen and Hutton. Their attitude towards them may best be described as

similar in spirit to the resolution passed by the House of Commons on an inquiry into the conduct of Clive; when, after detailing certain complaints against him, they came to the conclusion that 'Robert Clive did at the same time render great and meritorious services to this country.' Dodwell, for example, seeks to justify Clive's presents, Jagir, and the forged signature on grounds which do not appeal even to Doctor Smith, who, in his own turn, fails to understand, even after the able explanations of Sir Alfred Lyall and Lord Morley, the impeachment of Warren Hastings. Neither he, nor Forest, seem to suspect that Hastings was unfair or unjust in his conduct towards Chet Singh for example, or that his conduct towards Begums of Oudh could, on any reasonable grounds, be impeached. Again, Lord Wellesley's treatment of the Nawab of Oudh, on which Mill is so eloquently indignant, fails to gain from Smith and his school a single word of protest. They also do not seem to realise that the treaty of Bassein was concluded with a man under the painful necessity of saving himself from his Marhatta captors, and that, therefore, Lord Wellesley

was not very wise in his relying upon its effects to keep peace in the Deccan. Other incidents can similarly be cited wherein these modern writers have failed to be just in their conclusions on account of their love for men who wove the wonderful fabric of the British empire in India.

James Mill and his school, as explained above, tried to take a detached view of things, and in so doing, they, from causes already detailed, have sometimes failed to be just to the subjects of their studies. Nobody would now take Warren Hastings to be the same monster that is horribly painted in the word-pictures of Sheridan or so well drawn out in the still more popular periods of Macaulay. Moreover, these writers had a genuine love of native races, who, they supposed, were often wronged by their European rulers. They remembered the loss of America to England on account of England's failing to understand her colonies, and they seemed to be anxious that the same mistake should not be repeated in the case of India. In their love of subject races they were anxious to enquire into every incident of doubtful justification or legality.

This brought them into many exaggerations. Macaulay's paintings of Sir Elijah Empey is one example of this. Mill's animadversions on the second Mysore War and its results is another example of the same sort.

We are thus right in holding with Roberts that, 'Recent writers on Indian History do not err on the side of hostile criticism of the eighteenth-century empire-builders, but if James Mill and his school were over-harsh in their judgments, the pendulum has now perhaps swung too far in the other direction.'

THE FAILURE OF THE FRENCH IN INDIA.

The glorious beginning and sad end of the French struggle in India, a brief history of the French attempts, causes of their defeat, differences in the constitutions of the English and the French companies, English and French trade in peace and war, lack of good generals and successful politicians, failure to conceal gains, Deccan a bad starting point, naval power, European entanglements of the French, national characteristics.

Long long ago, James Mill observed that the two fundamental discoveries for the conquest of India by Europeans were made by the French. Since his time it has been a commonplace of history to bewail the lot that befell the French in their attempt at establishing themselves in India. It surely requires some explanation, that the power which was supreme in Southern India in the year 1749 should, within a few years, collapse totally. But the rise of the French had been as strange as their fall.

The French had come to trade in India in 1664, but their earlier commercial operations were not much of a success. Martin and Dumas built up their commercial success only after

the year 1720, but within a very short time the French took their place as successful traders to the East. Then came Dupliex. He was a man of larger and longer views. Business matters alone failed to occupy his whole attention and he came to the deliberate conclusion that the French could not much succeed against the English in mere business matters. In 1744 came his opportunity. The War of Austrian Succession in Europe envolved the French and the English in India as well. Dupliex took Madras, but, what was more important, his handful of soldiers defeated 10,000 toops of Nawab Anwar-ud-din at the battle of St. Thomas. It proved, " to the surprise of both the parties, the absolute and over-whelming superiority of the disciplined European soldier to his indisciplined Asiatic rival. It was the first decided step to the conquest of Hindustan by an European power. From the day when it was fought, supremacy in Southern India became the fixed idea in the brain of Dupliex."

Dupliex had to restore his conquest in 1749, but he got another opportunity to utilize the lesson that he had learnt at the battle of St. Thomas. He helped the claimants to the

throne of Arcot and Hyderabad. In self-defence the English had to join the rival camp, and thus the French and the English came to blows in Southern India. Dupliex succeeded at first, but his dazzling success was his undoing. The incompetence of some of his generals made him lose a few battles ; but he was still undismayed, when the French Government recalled him at the insistence of the English Government. The order of recall was soon after cancelled and his successor Godeheu did not much reverse his policy. Then began the Seven Years' War in Europe, followed by a war between the English and the French in India. By that time, however, the English had conquered Bengal, and with their superiority in strength and the incompetence of their French rivals—Lally and others—resulted in an easy victory for the English. The French were expelled from Northern Circars, Pondichery was taken, and the French influence at the Court of Hyderabad destroyed for ever. This is in brief the story of the phenomenal rise of the French in India and their as phenomenal downfall.

The defeat of the French was due to many complex causes. To begin with, the constitu-

tions of the two companies differed largely. The French company was a department of the State and thus dependent upon the Government for its maintenance. A gauranteed dividend was paid to the share-holders of the French Company by the Government. This destroyed all idea of gaining commercial success in India. The English, on the other hand, were organised as a strong, independent, wealthy, and influencial group of traders, sometimes holding the Government in debt. Thus there was very little of interference in their affairs by the Government at home.

This difference in the composition of the companies at home was well depicted in their work in India. The English had built up a prosperous trade by years of exertion and thus became rooted in their very organisation. The French success had come from the exertion of individuals and at the least show of difficulties it disappeared unlike English prosperity. In the war period, for example, the English were driving as prosperous a trade as ever, while the French were losing all along the line.

It was a misfortune of the French, that though they possessed a statesman of Dupliex's abilities and a general of Bussy's imagination, they lacked good generals and successful politicians on the whole. The mutual disputes between their officers disfigure their story from one end to an other.

Dupleix was a man of genius, but he had his failings as well. One of them was to parade his success, sometimes too offensively before the eyes of his rivals. He failed to conceal his gains—unlike the English in Bengal –from the jealous eyes in India and elesewhere. This multiplied enemies and thus increased his difficulties. But he had another obstacle to overcome as well. He had started from the Deccan, which, at that time, invited interference on account of its confused politics. But the very forces of anarchy, which were responsible for drawing the French into the struggle, helped the English in driving them out of the Deccan. The numerous powers in the peninsula could be played against one another, and this was as much a source of strength as of weakness. The English, on the other hand, had this advantage against the French, that they

came to make Bengal as the centre of their activities. The acquisition of that rich province gave an immense advantage to the British who were now able to drive out their rivals.

With all that the French might have in their favour, it would have been impossible for them to maintain an empire in the East, even when they might have acquired one. The English mastery of the sea would have challenged and destroyed the existence of the French Empire in India. In those days of long voyages, it would have been impossible for the French to maintain themselves in India, without incurring risks, on account of their lack of a strong navy.

One factor has sometimes been lost sight of. About the same time when France was trying to acquire an Emipre in India, she was busy in increasing her strength in Europe as well. The French colonial policy was linked up with the territorial aggrandisement of France on the Continent. As Seeley points out, this policy of having too many irons in the fire did not succeed, and the French came to lose their Empire in India, on account of their mistakes of foreign policy and exhausting wars at home. England under Pit stood out with a

singleness of purpose for colonial gains and thus subordinated every other interest to colonial considerations. Unhampered by any obligations on the continent, England succeeded where France failed.

It has been suggested that this failure of the French was due to their national characteristics. The study of different forces that went to cause their downfall leaves us unconvinced as to the reality of any great part played by national characteristics in this struggle. A resort to an explanation based on differences in national habits aad customs has now become the last refuge of a perplexed historian.

To sum up, we can describe the failure of the French in India to some of the characteristics of their government in the West. Other causes contributed towards this downfall, but the main part was played by their European difficulties, their lack of a great sea power, and their defective organisation.

IMPEACHMENT OF WARREN HASTINGS.

Warren Hastings the first ruler after the Regulating Act, mistakes natural, earlier parliamentary censure of his policy, the implications of Foxe's India Bill and Pitt's India Act, impeachment intelligible, Hasting's return, Burke's notice for papers, the interest of Whigs in the Government of India, resolutions on Hastings' work, Pitt votes with Burke, the trial and the acquittal, its cause, the purpose of the impeachment and its success, its lessons.

One of the most significant events of the early British rule in India is the impeachment of Warren Hastings. He was the first ruler appointed to administer the country under the Regulating Act. That the first ruler appointed to govern the country after a regular machinery of government had been set up should commit mistakes was natural. Warren Hasting's own career in India had been rather a stormy one and he had difficulties to surmount which were peculiar to him. Some of them were due no doubt to the defects of the machinery he had to work under, while others arose out of his own temperament. These difficulties sometimes led him to do things that were, as Lyall points

out, 'bold, hard, and unjustifiable according to English standards'. They naturally attracted attention and a good deal was said about them in parliament. On an earlier inquiry, parliament had demanded his recall and he was saved only because the directors refused to move in the matter. The court of directors itself had censured his policy when they had reversed his decision in the case of the Begums of Oudh, and would have restored Chet Singh to Benares but for the fact that an attack had been made on the Governor-General himself in the city. Thus the grand inquisition of his administration that took the form of his impeachment was an intelligible affair and was not such a foolish act as some of our modern writers would have us believe. Besides, there had been undoubtedly good deal of misgovernment in India; the rich Navabs returning to England after amassing a good deal of wealth made people suspect that there was something wrong in the state of affairs in India. Fox's India Bill and Pitt's India Act represented the English Nation's determination to see justice done to India and Warren Hastings, impeachment must be treated as belonging to the same series.

Warren Hastings resigned his office in February 1785. At this time Burke asked for some papers connected with the Government of Hastings. He had interested himself in Hastings' Administration of British India and had come to the only conclusion which a man of his nature could arrive at. Intensely as he disliked Hasting's method of adminstration, he had come to the conclusion that an enquiry into Hastings' Administration would not be supported in the House of Commons, but when he asked for papers; Major Scott, Hasting's Agent in the House of Commons, spoke so defiantly that Hasting's fate was sealed. Now Burke represented a party which had been taking a lifelong interest in Indian administration. If Warren Hastings had spent twelve years as the supreme head of the Government in India, these people had been trying to cleanse the Augean stable of the Indian Government even for a longer period. Their interest in the Government of India had culminated in Foxe's India Bill, which was defeated in the Lords only by the intervention of the king. Not only this, the defeat had been responsible for the down-fall of the Whigs who could not be supposed to take only a superficial interest in

that subject. It is wrong to suppose that Burke allowed Philips Francis to deceive him with tales specially invented for his ears. Burke had been studying the question of Indian Administration and the indiscretion of Major Scott gave him his chance. He decided that he would utilize the occasion for either purifying the Government of India, or if he failed in that, he would make an end of the Tory rule of the king's friends in the government of the country. As Morley points out, his intention was simply to secure an inquiry into the system of Government in India, and in doing so 'the personal disinterestedness of the ruler who had been the chief founder of the policy of corruption and oppression in India was dust in the balance.'

So he proceeded with his work. When he came to his resolution on Hasting's treatment of Chetsingh and of Begums of Oudh, Pitt felt he could no longer remain aloof. Hastings was not an official whom Pitt would have shielded on any account in order not to shaken the prestige of the Government. Pitt had therefore no occasion to be influenced by an extraneous consideration. And, therefore, as Dundas later on wrote, when he saw the strength of the

charges he no longer hesitated; he had no intention of standing between the whig party and their prey. His vote against Hastings' administration on these two charges sealed the latter's fate and an impeachment was decided upon.

The trial began on February 13, 1788. Burke opened it for the prosecution in a powerful speech full of righteous indignation against a man in whom he typified all the misrule and oppression in India. He was supported by Fox and Sheridan and some of the ablest and most eloquent speakers of the day. Burke's peroration was so powerful that it had an immediate effect. Ladies in the galleries shreaked as he unfolded this tale of misery and woe. Warren Hastings describes the effect of the speech as being so strong on himself that for a moment he thought he was the greatest villain on earth.

The impeachment dragged on for seven years to end in a verdict of not guilty on April 23, 1795. Burke and his colleagues have been falsely accused of lengthening the trial simply in order to ruin Warren Hastings. That is far from being the truth. As Mill points out, it were the vagaries of the House of Lords that

were responsible for this inordinate length of time consumed in the trial. They would insist on fine and hard-drawn distinctions on the admissibility of certain portions of the evidence. Hastings himself tried to help in lengthening his misery by putting in a plea of his not being amenable to parliamentry jurisdiction.

The verdict of acquittal needs some explanation. The trial began in 1788 when feelings against the oppressive system of Government in India were so strong. When the verdict was given in 1795, many changes had occurred in the composition of the House of Lords, and of the lords who acquitted him some had never heard Burke speak on the matter. Some felt, moreover, that the expenses of the trial, a huge sum of more than £70,000, and the long drawn out sufferings of Hastings for the last seven years had been as much of a punishment as he had deserved. But a stronger reason for the acquittal was the change of feelings consequent upon the break out of the French Revolution in France. The English House of Lords could not indulge in an expression of opinion impunging the conduct of a public servant doing his work under extremely trying conditions.

Moreover, the exaggerations of Burke and his colleagues had alienated some people from his cause and it is not surprising that Hastings was acquitted.

But, it is wrong to hold, as Vincent Smith does, that it is a question of biographical interest only. As already explained, Burke and his associates were determined not so much on seeing Hastings condemned, as on securing that the flag of England should not fly over plundered provinces. It is therefore far from truth to say that the verdict of acquittal was in any sense a vote of censure on Burke, or that it registered the failure of his attempt. Burke was not vindictive. The trial had served its purpose to a very large extent. What was really aimed at was the system of government and not the man who had represented it for over twelve years. The trial, not-withstanding the verdict, cleared off a cloud of misconceptions, exaggerations, and false rumours on both sides. It fixed a standard, as Lyall points out, which the English would insist upon maintaining in their Indian administration, not-withstanding all the differences in the customs and the traditions of the two countries. But the very

fact that the House of Commons had dared to hold an inquiry into and impeach the conduct of a high official in India is significant, as it served as an example and a wholesome warning and guaranteed the future good behaviour of the company as well. But above all it was a conscience easing process on the part of the English nation. The tales of woe and miseries had been reaching England for sometimes past. They had lain heavily on the national conscience and the nation had been smarting under the knowledge. As Macaulay pointed out in another connection, it availed itself of an opportunity to strike at a scapegoat, and though the victim escaped, national conscience had unburdened itself in the process of accusing him. Yet it left a lasting impression; it created an interest in the administration of India in parliament, which was a safeguard against future maladministration of this country.

THE PERMANENT SETTLEMENT OF BENGAL

Mughal methods of collecting revenue, the position of the Zamindar just before the acquisition of Bengal by the British, earlier British attempts at collecting revenue, their failure and the miserable state of the country, Cornwallis's investigation and proposals for permanent settlement, settlement made permanent, its provisions, its effects, hopes of Cornwallis, social, political, and financial, their fulfilment (?); its effects on the Zamindar, the tenant, and the state, latter attempts at introducing permanent settlement elsewhere, final estimate, incidental effects, revision of the settlement. (?)

When Emperor Shah Alam granted the British the right of Diwani in 1765, they were faced with the problem of carrying out the duty of collecting revenue. The officials they possessed and the information that they had about the country was so meagre as to lead them to a decision that they would not carry on these duties themselves. They appointed two Naib-Nawabs who were to see to the administration of the collection of revenue and perform other duties pertaining to the office of the Diwan. The Indian system of the collection of revenues was through hereditary farmers of revenue who had at first

been appointed to their posts by the Central government and were probably removeable at its will, but who had concentrated larger and larger power in their hands when the grip of the Central government was weakening on its distant possessions. They were now not only hereditary collectors of revenue, but magistrates as well. Certain vestiges of the old control of the government over them still remained. But as Keene points out, their position had become stronger in Bengal on account of the timid nature of its people and its distance from the Central Government. The practical result was that they were just then hereditary officers possessing certain well defined rights and performing as definite duties.

When the British assumed the office of the Diwan, they, at first, let their Naib Diwans deal with the question as they thought best. They probably accepted what these officers could collect for them. When Hastings came, he decided to stand forth as Dewan. With that end in view, a system of auctions was adopted at first quinquennial and then annual. At the fixed time an auction was held and the interested parties bid for the right of collecting revenue.

In the enthusiasm of the moment very often bids reached figures out of all proportion to the actual or potential collections. The results was that the system broke down and when Lord Carnwallis came he thus described its results: "I am sorry to be obliged to say that agricultural and internal commerce have for many years been gradually declining and that the inhabitants of these provinces are advancing hastily to a general state of poverty and wretchedness. This, I am afraid, must also be in a great measure attributed to the defects of our former system of mangement." Land had been going out of cultivation, waste land was increasing, and otherwise a fast deteriorating state of things was visible as well. In 1778, Francis had, as a member of the Bengal Council, sent a minute of dissent advocating permanent and irrevocable settlement of the State's demands. But his proposal was thought to be factious at the time and was not listened to in India.

When Lord Cornwallis came, the land revenue collection was being carried out under a Board of Revenue which supervised the work of European collectors. But neither the collectors nor the Board had been much successful in

gaining either a large or a fixed sum as revenue from the country that they administered. Lord Cornwallis was instructed by the home authorities to thoroughly investigate the problem and to make a permanent settlement with the Zamindars. He at once began to study the problem with the help of Sir John Shore. A settlement was first made, but with the help of the existing machinery of Government it was impossible to make such a detailed study of the question as is now involved in settlement operations. Sir John Shore therefore suggested that the Government should wait for more information before declaring the settlement permanent. Lord Cornwallis was, however, of opinion that it would not be of any help to wait much longer and that a ten years' settlement would not in any way bring waste land under cultivation. He was determined to confer, rather confirm, the proprietory rights on Zamindars, and thus create a middle class much resembling the English landlords. Himself a great landlord, he could not but think that the only beneficial way of settling land revenue was through a people of the same sorts. He sent home a closely reasoned despatch which was accompained by a

note of dissent from Sir John Shore. When these two differing views reached Eugland, Pitt, the Prime Minister, and Dundas, the president of the Board of Control, shut themselves in for ten days and after a close application to the subject decided in favour of Lord Cornwallis's scheme. Accordingly, the settlement was declared permanent in 1763.

Its result was to creat a limited proprietory right in land in the Zamindars. They were turned into owners of the lands from which they had formerly collected land revenue only. All rights of the state in the matter of usual *Nazranas* and permission-to-sell fees were relinquished. The magisterial powers were taken away from them and they were no longer bound to police their land. As long as they paid their revenue, the government did not interfere in their internal dealings with the tenants. If they failed to pay their revenue by a certain date, instead of their subjection to corporal punishments as formerly, such part of their land was put to auction as would fetch the required land revenue; and as the landlords had to pay 90 per cent of their collections to the state, in the first year of its operation this Sale Law, as it was called,

resulted in the sale of 1/10th of the land.

The effects of the measure have been variously and often differently stated. Lord Cornwallis hoped that many beneficial results would follow from his pet scheme. Financially he expected that the state would be a gainer in that its revenues would be certain aad safe. The consequent prosperity of the country, he held, would also enable the government to tap new sources of revenue. Economically, he hoped, that the security of tenure which the measure provided and the guarantee that the state would not demand a share in the increased produce of the land, would lead the Zamindars to develope their estates and would bring in new lands under cultivation. He also expected that the rise of a substantial middle class would be of immense value socially, providing a centre of reserve strength. His vision went ever farther than that. He saw that the permanent settlement of the land would play the same part in creating a loyal class which the establishment of the Bank of England had played in the case of William and Mary and the Hanovarians. The Zamindars had now the demands of the state limited permanently,

which they could not be sure of, when and if, a change of government occurred, and they would, therefore, be interested in keeping the British Government in India as the Government most favourable to their claims.

Not all of these expectations have been fulfilled. Of course the Bengalee Zamindars remained loyal as a class during the mutiny and, as Setton Kar points out, the political benefits of the measure balance its economic defects. The most grevious disappointment came in the relation between the landlords and the tenants. The landlords have refused to take much interest in the development of their lands except developing the waste lands. They have mainly become absentee landlords living in Calcutta or at district towns on their income. This disappointment is tersely summed up by a writer declaring that though Cornwallis had intended to produce a class of English landlords in Bengal, what he actually succeeded in was in creating a class of Irish landlords. Financially, it is pointed out, that whatever might have been the virtues of the measure one hundred and fifty years back, it has now ceased to be an advantageous bargain to the state any longer.

The net loss to the state in the shape of the deficit in land revenue is now estimated at Rs. 4·5 crores, which, it is said, other provinces have to pay so that Bengal landlord might wax fat. The indirect benefit in the shape of taxation due to an increase in prosperity cannot be well estimated, and it is not much. But it is further suggested that by creating a class of proprietors of land in Bengal, Cornwallis sacrificed many sub-proprietory rights of the tenants and that they were left at the mercy of the landlord. Of course they could go to law if they thought they were wronged by any action of his. They had another weapen in their hands, thanks to the sale Law. Their refusal to pay rent could bring the landlord to his knees, because as the margin between their payment and the land revenue was very small, the Zamindar could not afford to pay revenue if a considerable section of the tenants refused to pay rents. If he did not pay his revenue, his estate would be put to the auction and thus the tenants would have their revenge. Here we should remember that Cornwallis himself had expressly reserved the right of the state to intervene for the protection of the ryots.

But for long the veiw was held that the permanent settlement precluded the state from protecting the tenants. The Full Bench of the Calcutta High Court, however, decided in 1865, that the permanent settlement in no way gave away the rights of the tenants, and that it allowed the state full authority to protect them. All these criticisms of the measure are summed up by Setton Kar in the statement 'that the permanent settlement somewhat secured the interests of the Zamindars, postponed those of the tenant, and permanently sacrificed those of the State.'

We should remember that there are two distinct questions to be considered. On the one hand there is the question of the advisability of Lord Cornwallis's measure. We have got to decide whether any safer or better method of land revenue was possible at that time. Quite apart from this is the question whether or not it is expedient or politic to extend the measure at the present time to other unsettled districts. The second question is the only live issue. Following Colonel Baird Smith's report on the famine of 1861, Lord Canning suggested

that permanent set·lement should be extended to other parts of the country as well. The Secretary of State accepted this veiw and laid down certain conditions which a province must fulfil before it could be permanently settled. Lord Lawrence also supported the proposal and Lytton and Ripon added to it their support. Five successive Secretaries of State went on accepting it with a proviso or without one; but when Dufferin was the Viceroy, he had it shelved by Lord Vimberley in 1893. as both these officials were against permanent settlement. This is a testimony to the effects of the permanent settlement which cannot be easily controverted. Modern writers on the Permanent Settlement seem to assume that it is an academic issue which ceased to be of any practical importance after 1802 when the principle was last extended to Assam. We have just seen that even as late as 1893 it was a live issue on which successive Secretaries of State and the Viceroys had long been in correspondence.

But apart from the effects of extension—for that is a question for a student of Indian economics rather than for that of History—

a final judgment of Lord Cornwallis's measure is necessary. After considering all the points above raised we cannot but come to the conclusion that it was a measure of great foresight on his part and that at that time nothing else was possible. It is easy to indulge in arm chair criticism at this time, but the enthusiasm of such a critic would be cooled a little when he is reminded that the consensus of official opinion in India, at the board of directors, and among the ministry at home at that time was in favour of this measure. Long term settlement has been suggested as an alternative open to Cornwallis. It is doubtful whether that was ever suggested to him or to any body else at that time. But whatever we might say about the economic benefits of this method of assessment, we have got to remember that political results of such a revision might have spelt disaster had a revision come at a time of general unrest.

Some incidental effects of the Permanent Settlement in Bengal deserve notice. Bengal did not possess any Cadastral survey records till 1893 and consequently there was extensive litigation between the tenants and the landlords. Surveys were therefore introduced in that year

and have proved much useful for reducing litigation between these two classes. Another result has been the neglect by the Government of the agricultural possibilities of the country. As any increase of cultivation or introduction of better methods is not to be followed by any increase in the state demand, the Government have for a long time been neglecting the problem. Something, however, has already been begun to be done and it is hoped the Government would pursue the matter further.

Can the settlement be revised is a question often raised but less often satisfactorily answered. The Duke of Argyll held, as Secretary of State, that the settlement did not preclude the Government from taxing land in other ways. In 1919, during discussion on the budget, it was proposed to count agricultural income for estimating the rate of income-tax assessment. The proposal was stoutly opposed and failed to be carried in the Council. But it was memorable for the declaration by Mr Surender Nath Banerjee that if time and occasion demanded, it would be open to the representatives of the people to revise it in the best interests of the country. It is a favourite doctrine in constitutional law and

political science that sovereignty of a state cannot be limited by its following a particular course at one time. It is thus not a question of legality or constitutionality, it is merely a question of expediency which can be answered one way or the other only when the time comes.

JUDICIAL INSTITUTIONS.

Early English Courts, the grant of Dewani, Warren Hastings' Reforms, the Supreme Court, Declaratory Act of 1781, Reforms of Lord Cornwallis, Reforms of 1801 and 1811, Reforms of Lord Hastings, Reforms of Lord Bentinck, Appeals to England and other reforms, codification of the law, The Indian High Courts.

Early English Courts:—When the British came to trade with the East, the Charters of the East India Company authorised them to set up Courts for the determination of suits between Europeans. The Charters of Charles II and William III gave them the power of establishing Mayor's Court for deciding their own cases. But it was not till 1721 that regular courts were set up. In that year Mayor's Courts were set up with 9 Aldermen to hear and determine cases between European British subjects in the three presidency towns. In 1753 Courts of Requests—the predecessors of the modern small cause courts—were set up to hear cases of value under Rs. 20. An appeal from them lay to the president and his council and thence to the King in Council.

The Grant of Dewani :—So far, the British had to solve the problem of administering justice between themselves alone. In 1765, when they acquired the right of Dewani from the Mughal emperor, the administration of Civil justice also devolved upon them. At first the experiment was tried of allowing the Naib Diwans to go on administering justice in their rough and ready way, but the experiment did not succeed. Accordingly, in 1771, it was decided that the Company should take the work of the government on its own shoulders and end the troubles and the miseries of the Dual Government.

Warren Hastings' Reforms :—Warren Hastings who had been appointed the Governor o Bengal at this time was faced with the problem of setting up new judicial institutions. The work that he did was tentative, but anyhow he suceeded in erecting the scaffolding on which later superstructure was to be built. It is difficult to record the changes that followed one after another by way of experiment, but the system that he finally established was something as follows. On the civil side, courts of Registerars and Munsiffs were set up with Indian

judges. Over them were the European Zilla Judges who did the work with the help of Hindu and Muhammadan assistants. These judges were the collectors of revenue in their own districts. Six provincial courts were set up to hear and determine appeals from these courts. At the apex of the system stood the Sadar Diwani Adalat as the highest court of appeal, and consisting of the governor in council. On the criminal side Nizamat Adalats with Muhammadan presiding judges were set up who were to work under the supervision of European collectors. The members of the provincial civil courts went on circuit for the purpose of criminal cases as well, and the whole system was topped by a Sadar Nizamat Adalat with a Muhammadan presiding officer. In civil suits the law and customs of the defendants were applicable, while in criminal cases, Muhammadan law—the law in use before the advent of the British—shorn of its rigours, was applied.

The Supreme Court :—This system was in operation when came the Regulating Act. It set up a supreme Court at Calcutta with power over all British subjects. It consisted of a chief justice and three judges. It was establis-

hed by royal charter and therefore was independent of the company's courts. But this was not all. Many questions were evaded in setting it up. 'The British subject' was not at that time as well understood a term as it now is, and the fact that the Company ruled Bengal in the name of the Emperor did not make it very clear. The Law that it was to apply was not clearly stated, though the presumption was that it was the English Law. It had jurisdiction over public servants, but there also the term was not clear. Its relations to the Governor General in Council were not very clear; it could not execute its decisions without their help, but was it supreme over them as well? The result was that 'two antagonistic systems of justice were set up without any attempt at harmonising them.' The Court had authority to declare the regulations promulgated by the Governor General in Council invalid, and arguing from that proviso, those of the Government of the country also. It haled all cases and set itself up as a body to hear and adjudicate on all public grievances. Hastings' abrotive and not very wise attempt to make Impey the Chief Justice of Saddar Diwani Adalat did

not succeeded and recourse had to be taken to legislation.

Declaratory Act of 1781:—In order to terminate these unseemly quarrels, a Declaratory Act was passed in 1781. It limited the jurisdiction of the Court, it made the law of the defendant, rather than the English law the rule of the Court; no case against an Indian could be heard without his consent, the Governor General and Council were exempted from its jurisdiction for their public acts, its control over Revenue Courts was abolished, 'Public servants' were more clearly defined. In 1797 the act was extended to Benares and to all the territory included in the Bengal Presidency.

Reforms of Lord Cornwallis:—Warren Hastings had simply attempted to begin the thing, it was left to Lord Cornwallis to complete his work. His first reform was the separation of judicial and executive functions, because, as Innes puts it, "the function in one person of the offices of Civil Judge and collector proved to be dangerous in working, as it enabled an unprincipled officer to confirm in one capacity his own dereliction of duty in the other." This was followed by his organization of the system of

justice. Village courts were set up under Munsiffs. Above them were the Zilla courts with European judges. Then there were six provincial councils authorized to hear appeals from them. At the top of all that came the Sadar Diwani Adalat with the Governor General in Council as the sitting judges. Similar grades of officers were set up for criminal justice. The members of provincial council went on circuit for criminal cases, while the Sadar Nizamat Adalat was a separate body of officers. Lord Cornwallis took a retrograde step however by deciding that Indians should not be appointed to any but the lowest posts.

Reforms of 1801 and 1811:—Lord Cornwallis had left the Governor General in Council as the highest judicial authority. This anamoly was destroyed in 1801 when three members of covenanted services were set up as the Sadar Diwani Adalat. The same year a supreme court was set up at Madras. In 1811 the highest Court of appeal was further reformed and set up with lawyer judges. In 1823 a Supreme Court was set up in Bombay.

Reforms of Lord Hastings:—Lcrd Hastings, besides the final separation of the executive and

the judiciary, carried out other reforms as well. In civil cases the procedure was made simpler. Munro in Madras was busy developing and reviving the village Panchayats and had given them judicial powers. Hastings, however, refused to extend Munroism into every part of India, and did not favour the institution of village Panchayats in Bengal. But he balanced it by setting up a larger number of Indians as judges in the three grades of Munsiffs, Amins, and Sadar Amins, giving them power to try petty cases. Their low pay, however, remained long a scandal. Attempts were made by Regulations issued during 1815-1821 to safeguard liberty of person and to prevent delay against oppressive Darogas and Thanedars. Judicial powers were conferred on revenue officers as well.

Reforms of Lord Bentinck:—The system as set up by Lord Cornwallis remained in operation as amended in 1801 and 1811 It was Lord William Bentinck who undertook to revise it once more. He introduced two fundamental changes. Lord Cornwallis had not employed many Indians in the judicial department; but enough Europeans for the work could not be

found, their services were too costly, and Indians were making their exclusion from office a grievance. In order to set it aright, Bentinck sanctioned the employment of Indians to a larger extent. He undid the work of Cornwallis in another respect as well. The rigid separation between the executive and the judiciary had made the government costly, and William Bentinck above all things wanted to economise in the cost of administration. Moreover, he believed that the new Collectors were better men than the people whom Cornwallis had condemned. Anyhow, the collectors were given judicial work as well—an administrative measure, the repeal of which Indians have been advocating ever since. It is interesting to note in this connection that the Reformed Legislatures in most provinces have passed resolutions for the separation of judicial and executive functions. Lord William Bentinck simplified the work of the courts by ordering that the proceedings should be in the vernecular instead of Persian.

Appeals to England and other Reforms:—In 1833 the Judical Committee of the Privy Council was set up as the highest court of appeal for

the oversea dominions of the British empire. Indian appeals also were to be heard and decided by this body. In 1836 all racial distinctions in civil jurisdiction were removed.

Codification of the Law:—One great difficulty felt all these years had been the absence of an uniform code of Civil or Criminal law. The harshness of the Muhammadan Criminal law was mitigated by occasional regulations that were issued by different governors general. In 1833 the bewildering variety of criminal and civil law in India led to the centralization of the work. of legislation in the hands of the Governor General in Council. The same year a Law Commission presided over by Lord Macauly was appointed to draft a penal code. It had drafted its report by 1838, but did not become law till 1861. The Indian Penal Code so enacted is a collection of the Criminal Law of England freed from all superfluities and systematically arranged to suit Indian conditions. In 1872 the Code of Criminal Procedure was promulgated, followed shortly by a Civil Procedure Code. These codifications have been modified from time to time, the latest revision taking place in 1923.

The Indian High Courts, 1861:—Uptil 1861 two parallel sets of courts existed in the country. On one side was the Supreme court, while on the other was the graduated organization set up by the authority of the company. These two bodies were amalgamated in 1861 in the High Courts of Judicature set up at Bombay, Calcutta and Madras. They came to wield all the powers of original Jurisdiction which the Supreme Courts had exercised; while they also inherited the appellate jurisdiction of the Sadar Adalats. They were to consist of a number of barristers, some Indian Civil Service men and some Vakils. They were to supervise and control the Lower Courts as well and were thus to wield administrative functions.

Ilbert Bill Controversy, 1883:—Lord Ripon's Government made an attempt to terminate the racial distinctions which the Code of Criminal Procedure had perpetuated in 1872. Till that date European offenders could be tried by the High Court. The Code made it possible only for the first class European Magistrates or Session Judges to try them. In the Presidency towns, of course, they could be tried by Presidency Magistrates irrespective of their

colour. What Sir Courtney Ilbert, the law member in Ripon's Government, proposed was to abolish once for all any traces of racial distinctions and to confer upon the Indian Magistrates the power which their brethren in the presidency towns enjoyed. There was huge commotion among the European community and an agitation was organized against Lord Ripon. It is related that even arrangements were made, or talked of, for deporting Lord Ripon, and that a ship was kept ready for that purpose. The calumny to which Ripon was subjected for this attempt at justice can only be equalled by the abuse which was showered upon Lord Canning for keeping his head cool during the Mutiny. Lord Ripon had to bow before the storm and a colourless compromise was effected by allowing the cases of European British subjects to be heard by all first class magistrates and Session Judges, giving the European accused the right of claiming trial by jury, half of which should be composed of Europeans. This meant that all petty offences by Europeans were to be heard by the help of a jury and thus the powers of the European Magistrates were curtailed, for they could have heard these cases summarily before

Indian opinion was not satisfied, but they admired Lord Ripon for having made the attempt.

Removal of Racial Distinctions—When the reformed Government was set up in India and Doctor Sapru became the Law member, the new legislative assembly passed a resolution setting up a Committee presided over by the Law Member to recommend steps that could be taken to remove traces of racial distinction from the judicial law of the land. On the recommendation of that Committee it was enacted that an Indian could, equally with an European, claim the right of trial by jury, half the members of which should consist of persons belonging to his own community. Thus Indians were levelled up, instead of the Europeans being levelled down. But the cumbersome machinery for a trial by jury even in petty cases remains, and in the near future the question of a wholesale revision of the procedure will have to be faced.

Present Machinery:—At present almost every province has got a High Court of its own. It is further divided into District and Session Judge's districts. The Collector or the Deputy Commis-

ioner is the District Magistrate in every district. Below the High Courts, it is the Session's Court that is immediately responsible for the Work of justice in its different phases. Magistrates for Criminal cases are divided into 3 classes with powers of hearing cases and punishment according to their rank. For the decision of Civil suits there are Sub-Judge's Courts divided into 4 classes. Usually the Revenue Officers do the work of Magistrates as well, though a tendency is now visible to separate these two functions. From the Lower Courts appeal lies either direct to the High Court, or first to the Session's Court, and thence to the High Court. Most of these Courts are officered by Indians of the Provincial Civil Service, except in the case of Tahsildars who belong to the subordinate services. The District and the Sessions Judges are almost always members of the Indian Civil Services. Many Indians now hold these offices. The High Courts are composed in varying degree of the Indian Civil Service-men, of Barristers and of Indian Vakils. Here also the number of Indians is rising. It is a surprising commentary on the nature of the Government in India that

a larger percentage of Indians is holding high judicial offices than doing executive work.

The Rule of Law:—In every country the personal liberty of the citizen depends upon the relation between the executive and the judiciary. The Anglo-Saxon method of securing it is through what Professor Dicey calls the prevalence of the rule of Law. This means, that every offender is tried by the same courts and by the same laws, and that no reasons of state can stand in the way of a man being punished for his illegal actions. Whatever be his station or rank, every officer is treated as the meanest criminal in the land. In France public officers cannot be tried for their public acts before ordinary tribunals. A special set of tribunals and a special code of laws applies to their cases. Here, though an order from a superior officer might absolve an officer from any responsibility for an illegal action, this generally results in the State itself paying damages for any infringement of individual liberty in its service. In India, neither Administrative Law, nor the rule of Law prevails in its entirety. An order of the Governor-General pleaded in defence of an illegal act stops all proceedings, while there is no

separate law for the trial of public officers charged with having committed illegalities. The Secretary of state can be sued for the breach of a contract or for any personal injury done to an individual through an officer of his. It is possible to proceed against a public servant after obtaining the sanction of his immediate superior. The Governors and the Governor-General are not amenable, however, to any Court in British India for their acts, though they can be tried in England for felony or treason.

Declaration of Rights:—This state of things has led some leaders of public opinion to demand that a declaration of individual rights be included in our constitution. This they believe would tie the hands of the executive who would not be able to perpetrate illegalities. The subject is a thorny one, especially when we remember that the executive in India is armed with certain special powers for dealing with certain contingencies. No declaration of rights can confer absolute privileges on individuals as against the state and, therefore, these privileges conditioned by certain limits would not advance the matters umch farther. What is necessary is that

attempts be made to approximate more and more to the English rule of Law.

Interpretation of the Constitution:—The Judiciary in India enjoys another special right in addition to those enjoyed by English Courts. The Indian Legislature is a subordinate law making body that can legislate only under certain conditions and for persons and things laid down by different acts of parliament. It is open to the judiciary in India, therefore—like the Supreme Court in America—to question and pronounce in a case before them upon the validity or the otherwise of an act passed by an Indian Legislature. They are thus charged with the task of interpreting the constitution of the country.

INDIAN STATES.

The large number and varying nature of different states in India. The history of the relations of Indian states with the British in India, period of commercial activities under the Mughals and other Indian powers. The period of ring-fence, the policy of non-intervention. Subsidiary Alliances, the growing misrule in Indian states, rights of interference. The period of subordinate isolation, Doctrine of Lapse, the Mutiny and the following changes. The period of subordinate Alliances. The present position of Indian states, their obligations, Chamber of Princes, their crying needs.

Indian territory can be divided into two portions; British Indian territory directly administered by the Government of India, and Indian States governed by their princes under the Sovereignty of the British Government. The Indian States occupy about one third of the whole territory, while their population amounts to about 1/5th of that of the whole Empire. The number of these rulers comes upto about 700. They represent a variety of states ranging from the small hilly states in Simla, with a revenue of less than Rs. 150, to Hydarabad, which equals in territory some of the countries in Europe. Their relations with the British

Government are a product of the past, but are now approximating more and more to the same standard.

Sir Lee Warner divides the history of the relations of the Native states to the British power in three periods. But we can add an earlier period, when the British held aloof from politics and represented powerful corporations existing on the good will of the Indian States. During the period, the British were merely traders and had adopted as their watchword abstinence from interference in all political matters. This period lasted only so long as the Indian States were capable of maintaining order in their own dominions. The anarchy in the South made it possible for the French to interfere in Indian politics, and the English followed suit to their rivals. The rivalry between the French and the English at last resulted in establishing the British as the protectors of Carnatic, with Northern Circars directly under them. Events in Bengal made them masters of that rich province by 1765, and the company became a territorial power. It had now to evolve a real foreign policy.

Thus began our second period. Sir Le Warner has called it the period of Ring-fence. The British adopted it as their policy to limit themselves to their own territories and to avoid entangling relations with other states. The policy of Non-intervention in the affairs of Indian States, which had been enjoined upon the Indian Government by the Act of 1784, supplies the keynote to this policy. The earlier interference in some of the native states had not porduced very happy results, and therefore parliament declared that "to pursue schemes of conquests was against the wishes of parliament". Despite this declaration, the British Government had sometimes to fight, mostly in defence of its own territories. Lord Wellesly chafed under that restriction and the fear of the French in India made it possible for him to ignore the wishes of parliament in this respect. He formulated the policy of Subsidiary Alliances. These were designed to make the Indian States hand over control of their foreign relations and external defence to the British Government, which was to guarantee to them internal security. For this purpose the State was to maintain a British contingent of forces

at its own cost. As we shall see, this system of Subsidiary Alliances will form the directing principle in our third period. In this period it represented the revolt of a man of genius against the restrictions placed upon him. His successors tried to follow a policy of non-inter-vention, and, unless pressed by that nightmare of the French danger, they held aloof from the affairs of Indian States. Cornwallis, Barlow and Minto, did not believe in the theory of extending British Territory, whatever be the cost of their abstinence.

But the logic of events was becoming too strong for the British Government in India. They had assumed authority, and in order to keep it in their own hands, they were compelled to interfere in the affairs of their neighbours. The policy now adopted has been dubbed by Sir Lee Warner as that of Subordinate Isolation. It would be more correct to call it subordination-cum-isolation. Indian States were to be isolated from their neighbours by handing over the charge of their foreign relation to the British Government. They were to accept, in fact though not in theory, a position of subordination in matters of defence and external

relations. The weapon used for this purpose was the same which had been forged by Lord Wellesley in the shape of Subsidiary Alliances. In all the treaties into which the British Government entered now the two contracting parties were supposed to be independent and equal, though the treaties were designed to take away a part of this equality and independence. British Government, however, did not interfere in the internal affairs of these states, though it sometimes claimed the right of a sovereign to regulate succession and sometimes even to terminate the life of a state as such.

Towards the later half of this period the feeling gained ground that these states constituted a nuisance and that it would be a mercy to their inhabitants if they were taken under British protection. It need not be denied that misrule was rife in many of these states, and that they were not as efficient as some of their European critics desired. During this period the Marhatta Confederacy was brought under British protection. Oudh was at first halved and then completely absorbed, the Rajputana States were also accorded protection, friendly relations were first of all mintained with the court of Lahore

and in the end the Punjab was also annexed. It is well to remember that by usage the Government clamied two rights in the internal affairs of the states. A quarrel over the succession to the throne was usually decided through their intervention. Towards the second half of this period they began to claim that all adoptions should be confirmed by them, if they were to be held valid. Lord Dalhousie's Doctrine of Lapse was the extreme form of this claim. Believing in the efficiency of the British Administration, he held that it was criminal to forego any occasion of extension of territory, and thus of universalising the benefits of the British rule. He enunciated his Doctrine of Lapse and held that the failure of heirs in case of Subordinate States would lead to the incorporation of those districts in the British territory. The states not subordinate were, however, not to be thus treated. The distinction, as well as the doctrine, was the result of a well intentioned thirst after efficiency.

This period was brought to an end by the Mutiny. The British Government now stood forth as the sovereign lord of the whole of the

country; a position, which the E. I. Company could not assert as long as it recognised the Mughal Emperor at Delhi. Now began the period of subordinate alliances and co-operation. The representatives of the Queen could assume greater dignities, and when they repudiated all intentions of further territorial expansion and guaranteed perpetual rule to those States, they could treat them with less of thinly-veiled pretexts. It guaranteed to the States protection against dangers from without and undertook to respect their rights. The British Government is bound to help them in cases of serious internal danger and they participate in all the benefits which the British Government secures for its own subjects by treaties with other powers.

They have assumed corresponding obligations. They have first of all handed over the control of their foreign relations to the sovereign power. In their quarrels with other states they have to refer all disputes to the British Government whose decision is binding. The British Government undertakes to defend them, and in turn limits the military resources that these

rulers are to keep. In order to facilitate the defence of their own territories, they are to help the imperial forces, whenever locally stationed. The idea that they should help the Sovereign Government in cases of emergency and of need resulted in the formation of the Imperial Service troops in 1885. In some case the Government sometimes interferes in the internal administration of the State; as the Government believes, with Lord Canning, that it is not precluded from stepping into and set right serious abuses in a State, nor from assuming temporary charge. The British officials in a State can however always claim the protection of the British Government.

Indian States are brought in contact with the sovereign power through a local resident or an agent to the Governor-General responsible for a group of States. Before the Reforms Scheme most of the States were under provincial Governments. The splendid part played by these States during the War, as well as the logic of events, made the authors of the Reforms Scheme suggest some improvements in the status of the Indian states. It was decided to bring almost all the major states, states enjoying

full internal control, into direct contact with the Government of India. A Chamber of Princes, consisting of all the important Indian Rulers in person, and the representatives of the smaller States, was recommended to be set up and has been working for sometime. A convention was set up of including a ruling chief in the Indian Delegation to the Imperial Conference and the League of Nations. It is believed that the Chamber of Princes might regularise the situation to some extent. The chance of further reforms in British India led to the appointment of the Butler Committee which presented its report in 1929. The announcement of a Round Table Conference late in this year has, however, taken away much of the value of this Report and left the problem of the relations between the states and the future government of India to a future settlement.

These states differ in the character of their internal administration. Some of them, *e.g.* Mysore, possess political institutions built on the British Indian model. It has got a popular assembly, it conducts a public examination for its services, and otherwise is

as progressive as the British Provinces before the Reforms. But a large majority is content to govern in old ways. Public opinion and the example of British India would probably modify their institutions. In a self-governing India there is no place for Indian States, except as units of a federal Government. This they cannot become unless they are equally progressive. But the development of their territories should be accomplished before anything else is done. Another great reform required is the need of staffing their services almcst entirely with their own men. Now that they are importing a large number of high officials from outside, they are apt to be turned into fields for jobbery for needy adventurers.

EDUCATION IN BRITISH INDIA.

Early efforts, five periods of educational history, 1765, to 1813 missionary efforts, the parliamentary grant of 1813, the period of investigation. Wilson-Macaulay controversy, introduction of English as the medium of instruction, public services and new schools. Sir Charles Wood's Despatch, three principles laid down, the establishment of the Education Department, the Universities at Bombay, Madras and Calcutta. The Education Commission of 1882, the results of these measures, Indian Universities Act of 1904, attempts at officialising the universities and introducing teaching functions. The Calcutta University Commission of 1917, Residential Universities, Intermediate Colleges, appalling illiteracy in India, strong efforts needed to remove it.

The problem of education in such a vast country as India is of very great importance. Before the advent of the British, indigenous schools run by Molvis and Pandits in places of worship supplied the need of the people. Earlier than that, under Hindu kings, it was a duty of the king to educate his subjects. Asoka's inscriptions testify, as the late Dr. Vincent Smith admitted, to a very high degree of literacy in the country. This is borne out by the fact that percentage of literacy is still higher in

Burma, where indigenous system of education still prevails to a large extent. But the anarchy through which India had been passing before the advent of the British must have had a very bad effect on the educational system of the country. As it was, these *Maktibs* and *Pathshalas* supplied the need in a very crude way.

When the British came to India they found this system in vogue. At that time no country in Europe considered the education of her children a national duty. Besides this, the British lacked the enthusiasm which the Mughals had felt in the spread of Persian language and literature among their subjects. Thus at first there was no great incentive for taking the work of education in hand. As time passed, it was thought necessary to do something in this matter and efforts were made in this direction.

We can divide the history of education in India into five periods. From 1765 till 1813 all that was done in the matter of education was mostly the work of missionaries; and when it was the work of the Government, it was done for the purpose of preparing able Indian assistants to help English Judicial officials. In 1813 the first parliamentary grant of £10,000 a year

was made, but it was not much utilised till the year 1823. Thus this 2nd period nominally begins from 1834 till the Macaulay-Wilson controversy. That changed the Government educational policy in 1834 from when dates the third period. This was a period of investigation. From 1834 to 1854 we have a period of preparation when tentative experiments were being made. This resulted in the famous desptch of Sir Charles Wood which ushered the fourth period, wherein the work of educating the masses was seriously taken up. The Indian Universities Act of 1904 began the fifth and the last period during which the questions of higher education, original research, technical knowledge and vocational training are receiving special attention.

Before 1813 not much was done for the education of the people. A Muhammadan College had been established at Calcutta in 1781 followed by a Hindu College at Benares in 1792. Both of them were meant to provide scholars who would help the British officials in their Judicial work.

When in 1813 the parliamentary grant of £10,000 was made for "the revival and improve-

ment of literature, the encouragement of learned natives of India, and for the introduction and promotion of a knowledge of sciences," the Government was not ready with any programme of work. In 1817, however, a Hindu College was established at Calcutta by the earnest efforts of Raja Ram Mohan Roy and Richard Hare. The founding of the Brahmo Samaj at this time made a knowledge of English a desirable thing among that section of the people. Soon after, the Paichapay College was opened at Madras mainly through missionary help. When in the third Marhatta War, Peshwa Baji Rao was defeated, and the whole of his dominions fell into the hands of the British, Elphinstone used a certain part of the revenues of the country for founding Dakhshna Scholarship—though the Elphinstone Institute at Bombay come to be established in 1842,—and a Hindu College was established at Poona. In 1823 a Committee was set up to examine the question of Public Instruction. As a result of their labours, three colleges were set up at Delhi, Calcutta and Agra, teaching Arabic and Sanskrit. A publication fund was started for the purpose of publishing

valuable books in classical languages. Provision was made for the translation of certain books into English as well.

When the Charter Act of 1833 was passed, it was felt that much had not been done for the purpose of utilising the Parliamentary grant. Bentinck was not a man to sleep over such a thing and he at once decided to take measures for spending the grant and more. Before any programme of work could be taken in hand, it was necessary that fundamental principles of the policy to be followed should be decided upon. This resulted in the famous controversy between Wilson and Macaulay. Wilson led the Orientalists, maintaining that the Parliament could not have intended the grant to be spent on anything but the classical languages of India, that spread of education in India could only mean that of classical literature. Macaulay on the other hand held that it was worse than useless to spend money on the fostering of Oriental learning, and that it was necessary to instruct the people of India in English language and literature and the Western Sciences. Macaulay believed that that would help in spreading the benefits of the

Western civilization in India, that it would help the Government in getting capable Indians to fill the lower ranks of the Government Services, and that it would help to cement relations between the Government and the people. Besides all this, on account of his shallow knowledge of—rather the utter ignorance of—Sanskrit literature, he had no respect for its claims. The result was that it was decided that the funds at the disposal of the Government should be utilized for the purpose of spreading Western education. Many extremists, both Indians and Europeans, have bewailed this decision. But the Indian critics of Macaulay forget that at that time the question at issue was not the adoption of the Vernaculars or English as the medium of instruction in India. At that time Vernaculars were almost non-existent and there was no possibility of adopting them as mediums of instruction. Anglo-Indian critics bewail the fact that the introduction of English language and literature resembled an attempt to raise "a race of administrators on the literature of revolt". They very conveniently forget the wide belief in the universal applicability of these very

principles. Moreover, it would have been next to impossible to set up a censor in England, who would allow the import of only such books in India as taught loyalty and the divine rights of kings. Such a censor would never have been found in those days, though it is easy to see that there are good many of them now.

It was Lord Hardings who made these new schools popular. He utilised them for the purpose of filling official posts and thus provided an incentive to English education. He was ably helped by Ishwar Chandra Vidya Sagar, who did much to overcome the prejudices of his countrymen to a study of English. He also sanctioned the opening of one hundred elementary schools in Bombay and thus extended the benefits of education. Meanwhile, freedom of the press and renewed missionary activities were already accelerating the rate of progress. Another noteworthy attempt was made by Mr. Thomson in the North-West Provinces, where he recognised the indigenous *Maktibs and Pathshalas* by bringing them under official supervision. The opening of Bethune Girl's school at Calcutta in |1849 formed the first solid

achievement in the field of female education. In July, 1854 Sir Charles Wood, as the President of the Board of Control, sent his famous despatch on education. It laid down broad lines of policy which were followed in their entirety till 1904, and which Lord Dalhousie pronounced to be wider and more comprehensive than the local authorities could have ventured to suggest. It laid down that the elementary education should be carried on in the vernacular and boldly announced it to be the duty of the State to spread elementary education among the people. This was twenty years before a national Education Act was passed in England. The Secondary Education was to be carried on in English. But the Government was only to open a Model College in every province. Higher education was left mainly to private initiative. The Government was, however, to give generous grants-in-aid to institutions which allowed the official inspectors to inspect their schools. The third important principle was to keep these educational institutions linked up with admission to different Governmental Services. In pursuance of this despatch, Education depart-

ments were set up in all the provinces. This was followed by the establishment of Universities at Bombay, Madras, and Calcutta in 1857. They were organised on the model of the recently opened University of London and were simply to act as examining bodies. In 1871 Education Departments were made over to the provincial governments under Lord Mayo's Scheme.

The next great step was taken in the times of Lord Ripon by the appointment of an Education Commission in 1882. It was charged with the work of making the Despatch of 1854 more fruitful. The Commission reported in 1883. As the result of its recommendations the indigenous *Maktibs* and *Pathshalas* began to receive grants-in-aid, if they submitted to state inspection. High schools were handed over to the Municipalities in places where they had been set up. The grants-in-aid rules were revised and a better and a more reasonable classification of educational institutions was attempted.

The result of all these measures was that Secondary education was mainly developed by non-official agencies receiving Government grants.

Elementary education remained in the hands of the Government and when Municipalities and District Boards were set up, these schools were transferred to their control. From one reason or another the pace of progress in secondary education was quicker than in primary education. Whether it was due to the fact that Secondary education was in the hands of non-officials, whereas primary education was under Government control is a matter still open to discussion, yet it explains how Indian system of education came to be top-heavy.

Indian Universities had been founded after the model of London University. It was found that they were simply functioning as examining boards without in any way performing the function of seats of knowledge. As, following the English model, the Government had originally decided not to interfere too much in educational affairs, the result was that the Universities and Secondary Schools were not very much under official control. While performing his work of investigating into and re-organising every department of the government, Lord Curzon came to the conclusion that efficiency of our educational institutions demanded their

being looked into. A departmental conference was followed by a University Commission. As the result of its labour, an Indian Universities Act was passed in 1904. It enabled the Universities to undertake teaching and research-work and thus become real seats of learning. It was also attempted to bring the Universities under greater Governmental control through largely nominated senates. It was this last feature of the Act which alienated educated Indians from Lord Curzon. They resented this attempt at officialising the Universities.

This Act was simply a permissive measure, allowing a University, if it could afford to do it, to take up teaching and research work. If the Government could not spare money for this purpose, the Universities could be financed only by the generosity of public-spirited individuals. This was not found possible anywhere else except at Calcutta. There the University has been developing these functions to an amazing degree, while attempts are being made in this direction in other Universities as well.

In 1910 a separate department of education was created under the Government of India. At the Coronation Durbar of 1912

an imperial grant of Rs. 50,00,000 was announced for primary education. The Government, however, opposed Mr. Gokhale's attempt to introduce compulsory elementary education in 1912. In 1913 a resolution was issued by the Government of India re-affirming its intention to help primary education through voluntary efforts.

In 1917, the Calcutta University Commission was appointed to investigate, among other things, into the problem of the teaching work of the Universities. It was also required to study the problem of Secondary education in general. After prolonged work, the Commission published a voluminous report embracing the whole problem. It recommended the centralisation of degree teaching in the University towns. It emphasised the teaching functions of the Universities and suggested that all *post graduate* and honours-School teaching should be in the hands of the Universities. It suggested the raising of the College course to five years instead of four. Neither of these recommendations could be put into practice without popular help, and the Commission suggested that the Universities should be turned into

democratic bodies. When this report was published the question of constitutional reforms was being discussed. It was suggested to keep University education a reserved subject, but despite the opposition of Lord Chelmsford's Government, popular pressure succeeded in getting the whole subject of education transferred to popular control. Thus the duty of bringing into operation the recommendations of the Commission devolved upon ministers. The paucity of funds, however, stood in the way of the wholesale adoption of the Commission's recommendations, except in the United Provinces. Other provinces are moving in the matter though cautiously.

One of the most noteworthy feature of educational progress in recent years has been the increase in the number of Universities that have been opened at Banares, Aligarh, Agra, Lucknow, Delhi, Patna, Dacca, Rangoon, Mysore, Haiderabad, Nagpur, and Bezwada (Andhra). Various types of compulsory elementary education acts have also been passed to launch half-hearted experiments in this type of mass education. The new Universities are democratic in organization and

have taken up teaching work rather seriously. Some attempts have also been made to explore further chances for professional education.

Despite all the efforts so far made the percentage of literate persons to the whole population is small. If this rate of progress continues it might take some centuries before illiteracy is banished. A much quicker pace is required in view of the larger political responsibilities of the people. Even with the present small percentage of literacy the question of unemployment among educated classes is threatening to be very serious. More openings for careers will have to be provided and the minds of our youngmen and their parents weaned from allurements of the Government services. Attempts at providing vocational training should be made. Our Universities should become centres of learning to a large extent, female education also deserves looking into. This programme might tax all energies of our ministers, but it is necessary that they should take it seriously in hand.

THE ANGLO AFGHAN RELATIONS-

The key to the confused story, early relations, Shah Shujah and Bentinck, Dost Mohammad and Auckland, Tripartite Treaty. The First Afghan War, Dost Mohammad, the Mutiny, Lawrence and the policy of masterly inactivity, Lord Mayo and Sher Ali, Lord Northbrook, Lord Lytton and the blunder of the Second Afghan War, Panjdeh incident, Durand Mission, Habib-ulla and Dane's Mission, Anglo-Russian convention. The Third Afghan War and surrender of the control of foreign relations.

Afghanistan is our nearest neighbour on the N. W. Frontier. In the time of the Mauryas it formed a part of the Indian Empire; and for centuries afterwards it was either ruled by the Emperors of India, or it was the seat of independent dynasties which sometimes held the Punjab as well. It was from here that the first successful wave of Muhammadan conquest swept over India, and when Muhammadan rule was established in this country, it always served as the recruiting ground for Muslim armies. It also provided India with her successive conquerors that came with a startling rapidity to suppress and supplant their predecessors. Under the Mughals, it formed a province of their Empire

and after the decline of their power it once more began to breed warriors who were attracted by the wealth of India. When the British began to establish themselves in the country, the days of these warriors were over. Afghanistan was at that time an earthen pot between two iron balls. English jealousy of Russia's advancing power in Turkistan and Central Asia supplies the one key to the confused story of blunders and mistakes that so characterised Afghan relations.

EARLY RELATIONS.

These relations began very early. In 1801 when Lord Wellesley was the Governor-General, a rumour spread that Zaman Shah of Afghanistan was thinking of invading India. This had two results. A treaty was made with Persia, thus threatening Afghanistan in the rear. In India the British defences were strengthened by taking over half of the territories of the Nawab of Oudh under British control. The real danger that was thus checkmated was that of the French invasion of India through Afghanistan. In 1809 when Russia and France were allies, this danger was all the more increased. Lord

Minto met the danger by sending missions to Ranjit Singh, to Amirs of Sindh, the Shah of Persia, and the Amir of Afghanistan. Elphinstone headed the Afghan Mission, but it arrived at an inopportune time. Civil war was driving Shah Sujah, the ruler of Kabul, out of the country. Elphinstone saw him at Peshawar, and the fugitive monarch gave him every promise that was asked for. He agreed upon the exclusion of the French from Afghanistan, but this did not mean much, as he had soon to leave the country.

SHAH SHUJAH AND BENTINCK.

Shah Shujah came to India and remained for sometime a guest of the British Government. He made many attempts at regaining his crown and Lord William Bentinck helped him with arms and money when he tried to recover his throne in 1834. Shah Shujah, however, failed to regain his lost dominions and came back to live as an unwelcome guest at the court of Ranjit Singh. At the connivance of the Shah, and probably at his instigations, Ranjit Singh conquered Peshawar and the neighbouring districts.

DOST MUHAMMAD AND AUCKLAND.

Just at this time Russian expansion in Central Asia seemed to threaten British expansion in India. Lord Palmerston was the firebrand foreign minister at home and he chose to magnify the danger. He was firmly convinced that one of the duties of England was to crush Russian designs in Turkey and in Central Asia. Following the instruction from the Home Government, Lord Auckland came to the conclusion that the English Government should maintain an Ambassador at the Court of Afghanistan. Just then Dost Mohammad was viewing with concern Shah Shujah's stay at Lahore and was, therefore, prepared to seek an alliance with the English if they would help him against the agressions of Ranjit Singh, the friend of his rival Shah Shujah. Peshawar formed the bone of contention between the Sikh ruler and the Afghan authorities, and Dost Mohammad wanted the English to help him in regaining Peshawar. When he made these advances, Lord Auckland declined to be dragged into these Sikh-Afghan querrels and met all his proposals coldly. He was afraid of getting into

trouble with Ranjit Singh, if he so much as entertained a proposal to mediate between the Sikhs and the Afghans on the question of Peshawar.

THE TRIPARTITE TREATY AND FIRST AFGHAN WAR.

But when the Indian Government conceived the idea of checkmating Russia in Central Asia, the Afghan ruler was told that the British Government had moved round to the other extreme and wanted to cultivate his friendship. Captain Burns was sent to Afghanistan; but he did not succeed in convincing Dost Mohammad that English alliance was worth the price which he was being asked to pay. Lord Auckland, therefore, decided upon the restoration to his lost throne of that often-defeated and incapable ruler Shah Shujab. In 1838 a treaty was concluded between the British, the Sikhs, and Shah Shujah, by which Shah Shujah was to be restored to his Afghan territories and was expected to become a pliant instrument of Palmerstonian diplomacy. Shah Shujah was escorted to Afghanistan through Sindh after violating the treaty rights of the Amirs of Sindh. There he was

placed upon a tottering throne. Shah Shujah was not popular in Afghanistan, and whatever remnant of a party he ever had, was destroyed by his being placed upon the throne of Afghanistan by the Sikhs. The British Government now saw that it had assumed a task which might tax its energies to the utmost if it was to be fulfilled well. But instead of either giving up this self imposed task or doing it thoroughly, they preferred to do it half-heartedly. Subsidies to the chiefs were cut down and in retaliation they closed the passes. The incapability of Shujah and the English way of life led to a good deal of trouble, and one by one the British forces were either expelled or were being beseiged by overwhelming numbers. The major part of the army was destroyed when it was passing through the passes relying upon Afghan promises of a safeconduct. This was a greater disaster than any that had ever befallen the British arms in India. When Lord Ellenborough reached India, he declared that the British Government would not peril its armies and with its armies the Indian Empire to force an unpopular ruler on the Afghans, but that some signal and decisive

blow would be dealt to the Afghans in order to vindicate the British name. After some hesitation this resulted in a march upon Afghanistan, where the main bazar at Kabul was blown up, tombs were desecrated and some minor acts of barbarity where committed. It was, however, wisley decided that Afghanistan could not permanently be occupied and therefore Dost Mohammad was allowed to return to Afghanistan to rule as a staunch friend of the British. After events showed that the British mistrust of this capable Afghan ruler was misplaced.

DOST MOHAMMAD AND THE MUTINY OF 1857.

When the Punjab was conquered and annexed to the British territory, Afghanistan became a nearer neighbour. In 1852 Edwards succeeded in concluding a treaty of alliance and friendship with Dost Mohammad. In 1856 when Dost Mohammad, was being pressed from the Russian side, valuable help was given him by the Indian Government. When the Mutiny came, his hostile attitude would have sealed the fate of the British Empire in

India. Had he marched upon the Punjab, 'no one who was in India in those dreadful days before Nicholson stormed Delhi, will for a moment doubt that the English would have been driven to their ships-rather towards them. How many would have reached is another matter.' Dost Mohammad was true to his words, though John Lawrence proposed that his alliance should be cemented by handing over Peshawar to him. This, however, was vetoed down, but it is to his honour that during the d·rk days of the Mutiny, Dost Mohammad never wavered in his fidelity towards the English. After the Mutiny Dost Mohammad was very anxious to avoid the Civil War that he saw would follow his death. He wanted the British Government, therefore, to recognise Sher Ali as his next successor and pledge itself to his help. Lord Canning recognised Sher Ali, but refused to be drawn into a Civil War.

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LORD LAWRENCE AND THE POLICY OF MASTERLY INACTIVITY.

When Lord Lawrence became the viceroy the question of the Anglo-Afghan relations again assumed importance. Dost Mohammad was dead and Sher Ali had ascended the throne. Like his frther he wanted the British Government to pledge itself to help him against all possible rivals. The advocates of the Forward School also were pressing Lord Lawrence to move slowly, cautiously, but steadily. Lord Lawrence formulated what came to be called the policy of masterly inactivity. Meanwhile, he recognised Sher Ali as the Amir of Afghanistan as long as he was able to maintain his position. But even when the Civil War drove him from his throne, he recognised him the ruler of as much of Afghanistan as he could manage to govern. When his half-brother Afzal became the master of the whole country, he was recognised as the ruler ef Afghanistan. Disgusted with what he thought was British vacillatian, Sher Ali tried to come to terms with the Russians. Thereat Lawrence made ready to enter into a treay with Afzal. At last in 1868, Sher Ali established himself

firmly on the throne of Afghanistan and Lawrence acclaimed him with a present of arms and Rs. 60,000. About this time the Russians had been advancing in Central Asia, and Lawrence with the vision of a statesman advised the British Government to come to terms with them.

The policy of masterly inactivity which Lawrence followed was based on a true vision of the Afghan character. He refused to be drawn into any interference with the affairs of Afghanistan, because it would be making enemies of the Afghans who wanted only to be left alone to be our friends. As far as the Russian menace was concerned, he held that to fight the Russian in Afghanistan would be to decrease the difficulties of a Russian attack on India. The first army that would enter Afghanistan would be looked upon as an enemy by the Afghans. The fundamental idea of his policy was total abstinence from any interference in the affairs of Afghanistan. He held that the only effective way to fight Russia successfully lay in keeping Indians contented and satisfied with their Government, and that military security was to be sought for not in

dangerous outposts on the Afghan Frontier, but in having a well-organised and compact army within the Indian border. As has been said, 'he lulled the wakeful anglophobia of the Russian generals and disarmed their inconvenient propensity to meet supposed plots of ours in Afghanistan by counterplots of their own.' The policy that he laid down has been followed ever since; it has been given up sometimes only to be adopted once more after learning disasterous lessons in Afghanistan.

LORD MAYO AND SHER ALI.

When Lord Mayo became the viceroy, Sher Ali tried to get more out of him than he could from Lawrence. He wanted that his dynasty should be recognised as lawful masters of Afghanistan, always entitled to British support. This would commit the Indian Government to a dangerous extent and Lord Mayo, therefore, would go no further. He, of course, gave some monetary help and presented some arms.

LORD NORTHBROOK.

When Lord Northbrook became the viceroy, the idea of Imperialism was at its height with Disraeli as its high-priest. The Forward School had won over Lord Salisbury, the conservative Secretary of State for India, to the view that it was necessary to have a British Resident at the Afghan Court instead of the Mohammadan representative who had been there since 1858. Lord Salisbury, therefore, asked Lord Northbrook to send a political mission to Afghanistan, thinly vieled as a commercial and non-political enterprise. Lord Northbrook opposed the proposal and at last resigned in protest. Lord Lawrence in the House of Lords raised a voice of protest against the contemplated departure from his policy and drew a picture of future tragedies which was true in almost every detail. Lord Salisbury, however, turned an equally deaf ear to the protests of Lawrence.

LORD LYTTON AND THE BLUNDER OF THE SECOND AFGHAN WAR.

Lord Lytton who followed Lord Northbrook in the Viceroyalty of India came with definite in-

structions to force a political mission upon the unwilling Afghans. He went farther than his instructions. When as a counter move to the arrival of Indian trops in Malta, a Russian embassy was sent to Afghanistan, he at once decided to force a British resident upon the Amir of Kabul and to promise in return higher subsidy and recognition of his son Abdul and help against aggresion. In this unwise decision he disregarded the advice of some of the members of his own Council. Sher Ali remonstrated intimating to Lytton that the Russians were unwelcome guests whose safety might at any time be threatened. He appealed to the British Government to respect the sentiments of his own subjects. Unmindful of all the warnings, Lytton sent a mission and when it was refused admission at the frontier, he declared war on the 22nd October, 1878. The treachery and the disasters of the 1st Afghan War were once more repeated. Afghanistan was conquered and Sher Ali expelled from Kabul by May, 1879 with a suspicious case. His son Yaqub surrendered himself to the British and concluded a treaty. He was recognised as the heir to the Afghan

throne The passes in the Pashin valley were to be transferred to the British control, a resident was to be maintained at Kabul and a subsidy of six lakhs was to be paid to the new Amir. The British were to control the foreign policy of Afghanistan. This was, however, only the beginning of the trouble. In September 1879 a general rising of the Afghans took place. The British Residency was burnt down and a general massacre was begun. Yakub sought refuge with the English and Kabul had to be re-conquered. General Roberts entered Kabul in October and defeated the Afghans at Charasyale. Yakub abdicated and Roberts began his retaliation. Fines were inflicted, martial law was declared and disarmament of Afghanistan was set afoot. In April 1880, the British announced their intention of withdrawing their armies as soon as a new Amir was found. Abdur Rahman a nephew of Sher Ali, was placed upon the throne and the British decided to withdraw. Abdul Rahman was to get a subsidy of 12 lakhs; Pashin, Gawat and Tochi passed under British control; and a residency was after all established at the Court of Kabul, enabling the British Government to exercise a control over the foreign policy of Afghanistan. The net

result of the war did not justify the huge expenditure that was incurred. But, as Keen puts it, the Indian Government learnt that the Frontier of the North West was really a European question, to whose solution they could contribute by avoiding all possible offence to the Afghans and by the conciliation of Indian races. It began however a new era in Anglo-Afghan relations by making Afghanistan a dependent ally of the British.

PANJDEH INCIDENT.

The relations between Abdul Rahman and the Indian Government were not very happy, possibly because the Amir refused to be as grateful, and therefore pliant to his English benefactors as they had hoped him to be. But he was a sagacious ruler. In 1884 a convention between England and Russia referred the question of the Northern Afghan Frontier to a Commission of the English and the Russian officers. While the Amir was on a visit to the viceroy in India, a deplorable incident occurred at Panjdeh, a small village. There was a collision between the Afghans and the Russians and it seemed that there would be a war

between England and Russia on the question of Afghanistan. English diplomacy aided by the firm resolve of the Amir not to make his territory a wrangling ground between England and Russia, resulted in a compromise. The boundary question was settled in 1887 so as not to cost the Afghan Amir a single subject or a single square inch of territory.

DURAND MISSION.

But all this did not remove the misunderstanding between the Government of India and the Afghan Amir. In 1893 Sir Henry Durand was sent to Afghanistan on a pacific mission. The spheres of influence of the Amir and the British were decided upon. The Amir withdrew his objection to the Baluchistan Railway and a cantonment at Chaman. The Frontier was to be demarked by a composite commission. The subsidy to the Amir was raised to 18 lakhs; some help was promised in arms and ammunitions as well, and free importation of arms was also allowed.

In 1895 Abdul Rahman sent his son Nasar Ullah to England in order to secure the stationing of an Afghan Embassy at London. This

would have increased the international status of Afghanistan, but Nasar Ullah failed to gain anything. This failure further irritated Abdul Rahman and his dealings with the Government of India assumed a questionabls attitude.

HABIB ULLAH AND DANE'S MISSION.

In 1903 he died and was succeeded by his son Habib Ullah. This rather increased the difficulties of the Indian Government. He maintained that the earlier treaty with his father still remained in force and that it was not therefore necessary to renew it. Any cause for immediate querral was, however, avoided by his not attempting to draw his subsidy, though the detention of arms destined for Afghanistan led to many quarrels. He declined to visit India and to discuss the situation with the Government of India. The British Government attempted to terminate this trouble by sending Sir Louis Dane to Afghanistan. His three week's stay at Kabul has been described as a succession of humiliations. The Amir insited that he should sign the treaty as drafted by him. There was not much substantial difference between Dane's instructions and this

treaty. The Secretary of State for India was for European reasons very anxious to come to the end of his troubles and did not therefore stick at formalities. The treaty as drafted by the Amir was accepted and the Amir received the title of His Majesty. A right to getting subsidies from the Indian Government was established by the paymant of all arrears and the Amir was given permission to import arms.

ANGLO RUSSIAN CONVENTION.

In 1907 Habib-Ullah visited India, but this did not in any way better relations. In the same year a convention was concluded between England and Russia by which outstanding questions of dispute between the two Governments were settled. Russia recognised Afghanistan as within the British sephere of influence, though it was stipulated that equal commercial opportunities were guranteed to all European nations. The British had conveniently ignored the feelings of the Afghans in this matter, and when they asked the Amir to ratify the convention, he refused. He resented the understanding which tried to decide questions regarding Afghanistan without the countesy of even a

formal reference to its ruler. Throughout his reign the attitude of Habib Ullah towards India was, according to Lovat Fraser, one of studied discourtesy and contempt. He was getting restive under British control, though he never came to an open rupture with the Government of India. But during the great European war, he rendered signal services to the British government by remaining faithfull to the British cause, thus restraining the frontier tribes as well. It was a difficult task especially as Turkey had joined the opposite side.

THE THIRD AFGHAN WAR.

On February 20, 1919 Habib-ullah was assassinated for his pro-English attitudes. This was followed by a Civil war. Anayat Ullah, the eldest son of Habib-ulluh, abdicated the throne in favour of his uncle Nasarullah. His younger brothers, however, did not accept this decision and suspected Nasarullah's hand in the assassination. He got out of the trouble by putting Aman-Ullah on the throne of Afghanistan. Just then there had been a disturbance in the Punjab following the passage of the Rawlet Bill. The Amir who has been put on his throne by the

army was persuaded to make an attack upon India. A short but decisive war followed. The Afghans were defeated, but they won back the control of their foreign policy. The war was brought to an end by the treaty of August, 1921, whereby the payment of the subsidy to the Amir was stopped, though he was allowed to conduct his foreign relations. He was given the right of importing arms and ammunition through India, a right which can be used by the Government of India for settling outstanding questions of dispute. Afghanistan is now an internationally independent state maintaining embassies at different European capitals. There is a British embassy at Kabul, though its cost is borne by the Indian taxpayer.

The recent changes in Afghanistan are yet too near our time to bear historical recital. Amman-Ullah's fateful visit to Europe led to his intensive campaign for Europeanising, by a magician's wand, that most orthodox of Muslim peoples, the Afghans. This led to Bacha-i-Saqa's phenomenal rise to power as the avenger of the Faith, leading in its turn to Nadar Khans' march on Kabul. It is the right of Afghanistant hat it should share with Persia and Turkey the honour

of terminating her reigning dynasty. Yet even Nadar Shah sits uneasy on his throne today.

In these days the question of the Indo-Afghan relations derives its importance from its reaction on the peace of our N. W. Frontier. But the story of these relations has well shown that in the past this question was more frequently brought to the forefront by European complications of England. In future the proximity of Afghanistan to Indian frontier would make our relations with her the most important question of our foreign policy. This might lead to constitutional troubles similar to those which Canada experienced before it could come into direct relations with the United States of America.

THE ACQUISITION OF THE PUNJAB.

The conquest of the Punjab, Maharaja Ranjit Singh's foresight. His death and succeeding anarchy, the increase in the power of the Khalsa army, British preparations against the contingency of a war with the Sikhs, other causes of friction, the Lahore Durbar's treacherous action. The Khalsa army, a dupe of the Darbar. The Sikh belief as to the aggressiveness of their powerful neighbours. The Sutlej crossed, the war and the treachey of the Sikh Commanders, the Sikh Defeat. The treaty of Lahore and the annexation of the Doab. The treaty of Bherowal and the supremacy of the British resident in administration. The rebellion at Multan, a local rising, English failure to take prompt action, other causes of the Sikh mistrust of English intentions, Sher Singh's rebllion and a national rising in the Punjab; the battle of Ram Nagar and Gujrat, the defeat of the Sikhs, Lord Dalhousie's decision as to the fate of the country, the Punjab annexed, the mutiny and the Sikhs, Ram Singh's rising in 1871

The grandest feat of the British army in India—composed, of course, for the most part of Indians—was the conquest of the Punjab after two hard fought wars. It was then that the British were pitched against an enemy, who in

his grim determination to fight to the finish, in his disciplined movement, in his will to conquer, came to the British standard, if indeed he did not pass it. The Punjab, moreover, had been one of the few states whose rulers had seen the unwisdom of embroiling themselves with their English neighbours and yet had saved themselves from the humiliating position of accepting a subordinate alliance. Its acquisition, therefore, was all the more important in that the wheel of fortune brought such a state first in collision with the British and then made it surrender to its rival power.

Maharaja Ranjit Singh died in 1839. As long as he lived he was true to his friendship towards the British. He knew that the British were his most dangerous neighbours, yet they would be true to his words if he kept himself safe. His death was followed by a welter of chaos and anarchy such as has not been witnessed in any other Indian state. Prince followed prince, minister followed minister, in an indecent haste, to the graveyard, or rather to a premature death. Kharak Singh, Nau Nihal Singh, and Sher Singh came after one another and met their end at the hands of treachery. Among

Ministers, Dhian Singh, Suchet Singh, and Hira Singh followed one another with a bewildering rapidity to their bloody grave. At last the boy-prince Dalip Singh was placed on the throne which his father had so illustriously filled. Rani Jindan was his regent and Lal Singh was his minister.

All this anarchy meant an increase in the power of the Khalsa army. Every new claimant to the throne had to absolve himself by paying blood money to the Khalsa. Its discipline became lax, the control of its officers slackened, it had no more faith in them. At last its want of discipline in connection with outsiders, especially the Lahore Durbar, became too much for the government, which began to think of some way out of this difficulty.

Now some Sikh Sirdars had already been desiring an interference by the British in the affairs of their country. They knew this would lead to an easier enjoyment of their Jagirs in peace, and they were not very much frightened by the prospect of its involving a surrender of national independence. On the other hand, Clark, the British representative at the Court of Lahore, had proposed in 1841 to his govern-

ment that the British should march on to Lahore to entrench Sher Singh on a secure throne. Fortunately for British reputation, his suggestion had not been heeded to and a useless interference in the affairs of Lahore was avoided. But the British could not but view with some anxiety the turn of events at Lahore. The more cautious among them began to prepare for a war which they thought was brewing in the near future. Preparations of this sort took the shape of a large increase of troops on the Sutluj frontier at Ferozepur and Ludhiana, the making of a bridge of boats at Bombay, and mobilization of soldiers in Sindh by Napier. Small causes of friction were also being produced here and there. The British attempted to interfere in the troubles at Anand Pur in 1844; there was a skirmish between same Sikh soldiers who had crossed the Satluj in pursuit of some fugitive criminals and a detchment of British soldiers in 1845. In 1841, while the compaign in Afghanistan was being pursued, the retiring generals committed some acts of indiscretion in the Sikh territory. Otherwise, also, there were some signs that the British Government was assuming a hostile attitude.

When this was the state of things, it was possible for the Sikh army to be misguided by its wily leaders. The Sikhs feared the ambition of their great neighbours. They could not well understand why an anarchy in the Punjab should be construed by the British into a cause of War. Thus suspicion was engendered in their minds, 'Defensive measure'. as a writer puts, 'took in their eyes the shape of aggressive preparation and they came to the conclusion that their country was involved.' When this was their frame of mind, it was possible for the Sikh Sirdars to lure them into the belief that their country was in danger. At last in November 1845 at a mass meeting of the army it was decided to cross the Satluj, because the British had infringed, it was said, certain treaty rights of the Sikhs. As Payne declares, 'the war that followed was not the outcome of racial antipathy, but was due to the belief of the Sikhs that the settled policy of the British was territorial aggrandisement, and that they were only awaiting their opportunity to add the Punjab to their dominions.' Cunningham bears him out and thus sets forth the causes of the War.

It is doubtful whether the Sikh soldiery ever seriously thought of, although they often vaunt-

ingly boasted of, fighting with the paramount power of Hindustan until within two or three months of the first battles, and even then the rude and illiterate yoemen considered that they were about to enter upon a purely defensive war. The policy pursued by the English themselves for several years was not in reality well calculated to ensure a continuance of pacific relations.'

However, whatever might have been the provocations, the duty of the Sikh Sirdars was to see that the independence of their country was preserved. But as Shah Mohammad in his famous contemporary ballad testifies, Rani Jindan and his advisers preferred to hurl their army on the British so that if it was victorious, they might share the laurels of victory with it, or, as was more likely, if it was defeated, their enemy would be curbed by this humiliation. The real cause of the war, therefore, lay in the grim determination of the Khalsa Durbar to reduce the power of the army; the provocation the British conduct provided simply served to delude and convince the army that the English were hostile to them.

At last the Satluj was crossed and the challenge had been thrown. At the battle fields of Mudki, Feroz Shah, Aliwal, and Subraon the English came face to face with their most determined foe. The exigencies of the situation forced Lord Harding, a veteran of the Peninsular war, to take the position of the second in command, so that his presence with the army might hearten them. Yet for all that the position of the British army was precarious throughout the compaign. Lord Hardinge asked for Gough's recall after the disasterous success at Feroz Shah and orders were issued appointing Hardinge to the command. But the situation was relieved by the treachery of the Sikh Sirdars. Vizir Lal Singh was in correspondence with Nicholson throughout. Tej Singh, the the Sikh Commander-in-Chief, had on more than one occasion endangered the safety of the Sikh army by the inaction of his own section of the troops. At Subraon, the Sikh army had to fight without a Commander, who, when he at last became visible, chose to remain inactive again. It is Sirdar Sham Singh Attariwala alone, who, among that throng of treacherous Sikh Sirdars, stands forth as the one relieving

and heartening feature in the warfare. But the Sikhs were at last defeated in February, 1846.

The Lahore Durbar now sued for peace. But here again some of the Sirdars were as anxious as ever to extend the British suzerenity over the Punjab. Another section of the Sikhs thought that the British might annex the whole of the Punjab. After many intercessions and prayers, and when the minor Dalipsingh had himself been brought to the Governor General to request for milder terms of peace, the first treaty of Lahore was concluded on March 1846 to bring the war to a close. Dalipsingh was recognized as the Maharaja of the Punjab. A council of regency was set up to govern in his name. A British resident was to be stationed at Lahore, where also an army of occupation was to remain for some more months. The Bias was to become the eastern frontier of the Sikh territory; thus all the territory on the British side of the Satluj and the Doab, between that river and the Beas, were handed over to the British. An indemnity of 1½ crores was imposed; half a crore was paid, but for the remainder Kashmir and Hazara were ceded to the British, who sold the former for Rs. 72,00,000 to Maharaja Gulab

Singh. The Sikh army was to be limited to 12000 Cavalry and 20,000 infantry. The continued anarchy and treachery among Sikh ranks, however, was too much for this arrangement, and on December 16, 1846, a new treaty was concluded at Bherowal by which the Government of the country was put in the hands of a council cf regency with Sir Henry Lawrence as its resident-President. He was given a good deal of power over the council and nothing could be done withcut his consent. This would have proved the thin end of the wedge, but events were moving faster than the English had bargained for, and, as we shall see, the Punjab was soon to be absorbed into the British territory.

Lord Harding's disposal of the Sikh territory had been adversely critised by politicians of Lord Dalhousie's Annexationist School; but the fact was that Lord Hardinge could not have done better. He had neither the necessary army, nor the necessary band of officers, to undertake the administration of the whole of the Punjab. The Khalsa army was far from being conquered, the whole peasantry was armed, and some thing was due to the memory of Ranjit Singh as well.

But those who suggest that Hardinge should have done more, forget that nowhere else, certainly not in their wars with Tipu, with Burma, with the Marhattas, or with any other power, the British had confiscated the whole of the territory of their vanquished enemy. The arrangement that was set up was as good as British administration, and Lord Hardinge him self confessed that the probability was against the continuance of a Sikh government.

Sir Henry Lawrence remained at Lahore for some time, but ill health compelled him to resign. He was succeeded by Sir Fredric Currie. The administration of the country was being carried on and there was only one cause of complaint and that lay in the supposed intrigues of Maharani Jindan. She was at last sent to reside at Sheikhupura and her allowance was cut down from Rs. 10,000 to Rs. 4,000 a month.

Then came the troubles at Multan. Mulraj, its Diwan, had not paid any tribute to the Lahore Durbar. In 1845, on account of an invasion of his territory, he consented to pay Rs. 1,80,000 to the Lahore Durbar. Then came the first Sikh War and on its termination the interference of Sir Henry Lawrence resulted in

a compromise. But Mulraj found he could not pay the stipulated sum and offered to resign. He was asked to reconsider his resignation, and at last when he persisted, the new resident asked him to render an account for the last ten years. Sirdar Kahan Singh was sent to replace him and he was accompained by two English officers. After taking over the charge of the fort, when these officers were coming out, they were wounded and soon after murdered. Mulraj was also attacked when he joined in the struggle that ensued. Multan had revolted. The English officers informed Major Edwards at Bunnu, who in his turn informed the resident.

When the news reached Lahore, the Sikh Sirdars represented that an English army be despatched to quell the revolt at once. Lord Dalhousie was communicated to, and from one cause or another, he refused to move his troops in the hot weather. Meanwhile, Edwards was at Multan, trying to put down the rebellion. But the inaction of the British Government who had undertaken to quell all internal disturbances in the Punjab was having its effect.

Rani Jindan was suspected of complicity in the Multan incident, and was, accordingly, banished under humiliating conditions to Benares at Rs. 1,000 a year. This treatment of the Rani mother was too much for the people and they resented it. Then came the trouble between Chatar Singh, the prospective father-in-law of Dalip Singh, and one Captain Abbot, who encouraged rebellion against the Sirdar, though he was the Sirdar's assistant The resident found Abbot guilty, but transferred Chatar Singh from his charge. Moreover, Chatar Singh had been pressing for the marriage of his danghter to Dalip Singh, but the resident was returning evasive answers. This fresh humiliation was now, therefore, too much for him and his family. His two sons were members of the council of regency, Sher Singh had actually gone fighting against Mulraj at this time. When he got news of the incident he at once went over to the other side. But Mulraj would not trust him at first.

Sher Singh's going over to Mulraj's side became a signal for a general rising. The Sirdars had not liked substitution of English officers for themselves in the various adminis-

trative posts of the country. The mass of the people did not take very kindly to their new rulers. The Sikh soldiery had not yet been convinced that it had been fairly defeated in the last war and was ready to try conclusions again.

Lord Dalhousie had now moved his forces. But as Edwards pointed out, had he taken action earlier, the rebellion would not have spread so easily to other parts of the country.

This would not, however, suit Dalhousie who was anxious to find an excuse for terminating the temporary arrangements. On January 13, 1848, Lord Gough fought at Chilianwala a drawn battle with the Sikhs. It was followed by other engagements at Ram Nagar and Sadulpur, three such successess that 'a few more like them would have shaken the very foundation of the British Empire.' Sir Charlers Napier was hastened out from London to succeed Gough in the command, but he had relieved his lost prestige at Gujrat, 'the battle of guns' where the Sikhs were decisively defeated.

The whole of the Punjab lay at Dalhousie's feet. He had to decide how to dispose of this rich province. Three course were open to him.

He could pension off Dalip Singh as a titular Maharaja, while keep the province in his own hands, he could establish British administration in the province till Dalip Singh came of age, or he could annex the province outright. Dalhousie had no love for the first two courses. Annexationist as he was, he decided to annex the Punjab and to extend British territories to and beyond the banks of the Indus. But we should remember that he had entered the Punjab in order to quell the risinng against the authority of the Lahore Durbar. As the local rising became national, the intrigues of the Sikh Sirdars had demonstrated that no trust could be placed in them for good government and Lord Dalhousie was not the man to allow this 'ripe peach' to go out of his mouth easily. There does not seem to have been another alternative before him except that of administering the province in the name of Dalip Singh and leave it to his successors to make over the province to him when he was thought worthy enough to fill its throne. But the generous tradition of the rendition of Mysore by Ripon had yet to be set up, the British Government was in no mood just then to try experi-

ments in generosity. The Punjab was annexed in 1849. As a temporary measure a Board was set up with Sir Henry Lawrence, John Lawrence, and a Bengal civilian as its members to look after the affairs of the Punjab. A machinery of Government was improvised to take the place of Ranjit Singh's system of Government, which had been destroyed by the succeeding anarchy under his successors.

How John Lawrence succeeded in his task is clear from the part that the Punjab played during the mutiny. Not only was there next to no rising in the province, but the Punjab was freely denuded of the Sikh armies to be utilized for the seige of Delhi. The spirit of class rivarly was exploited, and the Punjab Sikhs thought that by helping to conquer the Bengal army, they had vanquished their victors. Delhi was saved and with it the fate of the mutiny was sealed.

In the times that followed, the Sikhs in the Punjab remained remarkably free from any taint of rebellion. In 1871 Ram Singh, the Guru of Namdhri Sikhs, however, organised a rising on account of some religious grievances. Bheni, in the district of Ludhiana, formed his headquarters

and from there an attempt was made to spread disaffection on all sides, and to attack Malerkotla first and take it. The affair was, however, mismanaged; the Namdharis were captured and had to pay with their lives for this rash and foolish venture.

THE MUTINY.

Controversy about the origin of the Mutiny, not a national rebellion, but a mutiny of the Bengal Army, the earlier mutinies of the army, a general rising of the princes not improbable, military grievances the main cause, other grievances, social, religious, and political, contributory causes serving to intensify and spread the disaffection. Political causes, Lord Dalhousie's responsibility therein, social causes, Religious causes, the widespread dread of conversion to Christianity, the pouring of new wine into old bottles under Dalhousie, military grievances, economic disadvantages and religious feelings, the cartridge affair, the failure of the movement, causes of failure, no single cause to appeal to, lack of able leaders, the loyality of Indian states, the apathy of the people, the cool-headedness of Canning. The results of the Mutiny, changes in the Government and the army, status of princes, a fortunate event (?)

There is hardly any other event about which there can be cited such a collection of contradictory opinions as about the Mutiny. Equally competent critics come to bewildering conclusions, so that it is impossible to give any authoritative opinion as to its real nature. This contradiction can be explained by the fact that to the contemporaries the Mutiny came as a shock of surprise. None of the statesmen had

anticipated it, and when it came, ascribed it to varying causes.

There are mainly two schools of thought about the nature and the origin of the Mutiny. But before we study the question of its origin, it is as well to remember that it was neither a general rebellion nor a national rising. It was mainly a mutiny of the Bengal army. The armies of Bombay and Madras remained sternly aloof. In the then existing Indian States, attempts at rising were, through the foresight of their administrators, kept down. It was seen that the danger appeared in its most virulent form only in localities where the British had been too hasty in thrusting upon the people the blessings of their good Government.

It is well to remember here that whatever causes we might ultimately ascribe to the outbreak, it cannot be denied that there had been many mutinies in the Indian army. Most of these were caused by the sepoy's suspicions about the intentions of the Government in religious matters. On more than one occasion the sepoys had resented the well-intentioned interference by the executive govern-

ment in their social customs. Inherently, therefore, there is nothing improbable in the suggestion that the Mutiny of 1857 should be regarded as a climax in this series.

Nor is it less probable that the Mutiny should represent a general and concerted rising by the dispossessed princes of India for the purpose of regaining their lost thrones. We have been often told that the princes of India accepted the domination of their country by the British as something inevitable and that never was a concerted attempt made to drive out the English or rather to stay their onward progress. This view ignores two or three inconvenient incidents. When Warren Hastings was the Governor General, the Western and Southern powers of India, the Marhattas, the Nizam and Haidar Ali combined together in order to fight the foreigner. Again, in the times of Lord Wellesly the treaty of Bassien was actively resented by the Marhattas and led to the First Marhatta war. But more serious and more relevant were the rumoured alliances among the Indian princes, which, as Marquis of Hastings testifies in his Private Journal, followed the earlier disasters in the

Napalese war. The first Afghan war also reacted upon the situation in India and British prestige was greatly lowered. During the time of Lord Ellenborough fraternising between the armies of Gawalior and the Khalsa armies was suspected and was made the ground of reducing the military strength of Gawalior. Here also we can say that a concerted action among the princes was not as impossible as some of our historians would have us believe.

These probabilities, however, do not decide the actual cause of the outbreak; but for that we have got to study contemporary opinion and movements. As indicated already, "it is still a question how far the Mutiny was the cause of the soldiers terrorising over the people or the people working on the minds of an ignorant and suspicious soldiery." In the main, historians are inclined to believe with Sir John Lawrence that the origin of the Mutiny lay in the military grievances particularly in the cartridge affair. It is safer to hold that the Mutiny was due in its immediate cause to the greased cartridges and other military grievances. The movement would have remained localised and could have been easily suppressed had it

not been for other contributory causes. Those causes, social, religious, and political in their nature, increased the area of disaffection and gave the Mutiny a look, which otherwise it would not have assumed. Thus the Mutiny of the soldiers was rendered easier and their chances of success increased on account of these contributory causes. But it will not do to hold with Outram that it was the result of "a Mohammadan conspiracy making capital of Hindu grievances."

The Governor Generalship of Lord Dalhousi had seen the climax of the policy of territorial expansion. However well intentioned he might have been, there is no denying the fact that his annexations had produced a feeling of uneasiness among the Indian princes. The doctrine of lapse more particularly seemed to suggest to them that the British Government was animated with a desire to put an end to their rule. The subtle distinctions and sublime differences which Dalhousie created for this purpose could not reassure them. They saw that the failure to have a male heir would result in the transference of the territory to the British rule. But the Doctrine of Lapse

did not stand alone in its threatening attitude. In more than one way the acquisitions of Lord Dalhousie's time suggested that a new spirit was abroad, which meant the down fall of these states. The personalites of Nana Sahib, Lakshmi Bai of Jhansi and of Bahadur Shah were the embodiments of the grievious wrongs which the Government had done to the States. Rumours were being spread in Delhi and actually published in some of the vernacular newspapers of the day as to the intentions of Persia to invade India. The annexation of Oudh particularly had produced many disquieting results.

Along with these political causes of unrest some social causes had also been working. Here also the responsibility of Lord Dalhousie was great. The field for the display of administrative talent by Indians was already narrow, but the rapid expansion of territory resulted in reducing the people of those states as well to the position where, as Keen puts it, "no claims of birth or talent could obtain for any Indian a post of more than sterling 1,000 a year." This exclusion of Indians had gone too far. Then there was his Inam Commission which enquired into the rents of Jagirdars in different

provinces. Its investigation no doubt resulted in the resumption of many Jagirs and the subsequent increase of State revenue. But against this it had to be remembered that it alienated all those Jagirdars. The Land Settlement in Oudh similarly resulted in the estrangement of another section among the gentry.

But in India it is the religion that plays the most important part in the lives of the people. About this time the British rulers of India were trying with too much haste to suppress rites, which they considered barbarous. They were also attacking or seemed to attack the privileged position of the Hindu priesthood. An act had been passed, by Lord Dalhousie again, to allow converts from Hinduism a right to their share in ancestral property. Widow remarriage had been legalised. A Bill was introduced to curtail poligamy. Besides these covert acts the European administrators of India were becoming less anxious to respect the ancient usage and customs of Indians. High officials patronised missionary activities and their younger subordinates sometimes indulged in open dreams of Christianising the country. A vague notion spread among the people of the country that their British

rulers were bent upon converting them to Christianity. This notion received terrible confirmation in the minds of the masses, who viewed with dismay the modernisation of India. Railways were set up, telegraph lines were opened, and in various other ways India was being made to feel that she had western rulers. Here, too, Lord Dalhousie was responsible for what Keen calls the pouring of new wine into old bottles rather too rapidly. Lord Dalhousie, like another illustrious successor of his, Lord Curzon, was a worshipper of the fetish of efficiency. In worshipping before that idol he never stopped to consider the views and the prejudices of people over whom he was ruling. Unfortunately they did not appreciate his well intentioned interference in their time old institutions and ways of life and were far from grateful.

But these causes, however strong, would not have produced the upheaval, which shook the British rule in India to its very foundation. Of course, 'religious temper, spiritual anxieties, alarm on account of temporal interest, Pretorian pride, and political disaffection had combined to form a mine of explosive matter." But it is doubtful whether, as Keen would have us

believe, they only wanted ignition. The Indian element in the army had increased out of all proportion to the European and this led to numerous difficulties. The European army, small as it was, was very badly distributed. There were no British soldiers between Calcutta and Allahabad. Moreover, the promotion in the army was made by seniority, and exceptional ability was rarely rewarded. So the officers, rising through a painful process of promotion, were long past the age of activity and efficiency. A soldier however capable he might be, could hardly become a captain before attaining the advanced age of 50. Colonels and Brigadiers were generally of the age of 60 and 70 years, an age better suited for rest rather than for active military services on the battle field. This defect was magnified by the fact that good and capable officers were employed in administrative duties in Burma and the Punjab, so that when the catastrophe came there was a dearth of capable officers who could successfully cope with the situation.

Nor were things better in Indian ranks. The rule of promotion by seniority was very strict. Direct recruitment of officers had been

stopped, and the officers rising from the lowest grade in the army could wield but little influence over the soldiers. Many events during the Mutiny showed this defect very plainly. In the hearts of the soldiers, moreover, rankled the harsh treatment which had been meted out to them during the recent mutinies. This produced not a little dissatisfaction. The Indian soldiers in addition, disliked, as Henry Lawrence points out, annexations, because each new province added to the empire widened his sphere of service, and at the same time decreased the foreign enemies of the English, and thereby the sepoy's importance.' The General Service Enlistment Act was resented by the sepoys. It destroyed their monopoly of service and made lower caste people their comrades in arm. Every extension of territory diminished their chances of gaining glory and with it Jagirs and rewards. The Indian soldier was poorly paid and there was little scope for the display of his talents. The highest office that they could covet carried the annual pay of Rs. 1,000 only. They had formed the main bulk of the Indian army, and, therefore, they thought the British owed the conquest of the

country to their sword. The reverses in Afghanistan and Crimea shook the victorious traditions of the British in India. All these things along with the causes above mentioned were having their effect upon the minds of the soldiers. Then came the greased cartridges. By a mistake in the war offices these cartridges came to be greased with a mixture of fat of pigs and cows, as Lord Robert's subsequent investigations have proved. Though the Government possessed no official knowledge about the components of the grease, somehow or other the fact leaked out. The officers denied it first and then were prepared to allow the soldiers every relief in the matter. But the trick had been done and the soldiers came to believe that efforts had been made in order to convert them to Christianity. Some of them refused to handle the weapon on parade and from Meerut the evil spread.

It is not necessary to discuss in detail the outbreak in different localities. The stories of the grim fighting around Dellhi, of the butchery at Cawnpore, of the seige of Lucknow and of the fight in Jhansi have been only too often detailed. It is necessary to remark that the

Mutineers gathered round Bahadur Shah at Dehli, who had to suffer for the cruelties of his men. In Jhansi, Rani Lakshmi Bai led the forlorne hope of her country. Nana Sahib played for the high stake of Peshwaship and lost. In Oudh the peasantry rose along with the Talukadars to avenge themselves upon the spoilers of their ruling dynasty. All these attempts, and many others besides, failed. The first turning point was the capture of Delhi from which followed the collapse of the movement soon after. Cawnpore and Lucknow were relieved, Central India was saved and there was not much of trouble in Rajputana. The movement at last collapsed in the ruins of cruelty and misery in which both the sides had, more or less, indulged.

The mutineers had started their work in defence of their own religion. They gathered round the personalities of Bahadur Shah, Nana Sahib and Lakhsami Bai. In the early days of the struggle the British were face to face almost with a life and death struggle. But as the movement developed, many factors appeared which weakened the movement and others which increased the resources of the English.

It is to them that we can refer the failure of the movement. Chief among them was the fact that the mutineers had no single cause to depend upon and no one goal to reach. The supremacy of Bahadur Shah at Delhi was incompatible with the setting up of a Hindu Peshwa and the mutineers had to choose between the two. The lack of good commanders among them was another decisive factor. They failed to produce any man of Nicholson's abilities, Lawrence's resourcefulness, and Canning's coolness. They sullied their hands with certain deeds of cruelty. Another saving factor was the active loyalty of the Indian princes. In Hyderabad, as in Gawaliar, in Nepal, as in Rajputana, the Rajas held sternly aloof from these movements, and their active sympathies with the British were of inestimable value. On the North Western Frontier the loyalty of Dost Mohammad Khan saved the English from a good deal of inconvenience, trouble, and probably final defeat. The people, moreover, never displayed any enthusiasm for the cause of the mutineers, who had to fight alone. The coolheadedness of Canning saved the English from driving the

mutineers to bay in many places and kept the sympathy of the masses with the Government. He declined to govern in anger, and, though stern in his measures against rebels, he refused to be drawn into sanctioning measure which smacked of revenge. This reassured the people who preferred to be governed by him.

As the ashes of the Mutiny were getting cold, the question of the future Government of India was taken in hand. In 1853 the Charter Act had allowed the Company to govern without fixing a time limit for the duration of the Charter. The English people were in search for some excuse wherewith they could terminate the rule of the Company in India. The Mutiny supplied the desired excuse and opportunity. The Government of the Company was transferred inspite of the protests of the Directors to the British Government at home and necessary arrangements were made to carry through the change. But, what the shock and shame of the great revolt certainly did was to sweep away some anomalies and correct certain delusions.' The Indian army was reorganised, wherein the preponderance of the high caste men was removed. The anomaly of the Great

Mughal at Delhi was also swept away. The E. I. Company also disappeared. Among the delusions that now received their death blow, the greatest consisted in the supposed benefits of the introduction of western institutions against the wishes of the people. The Queen's proclamations guaranted respect to the religious customs and the social usages of the people, and the British gave up the idea that they could succeed in benefitting the people even against their own wishes. The Doctrine of Lapse was renounced and with it the period of the territorial expansion of British India came almost to an end. The British had learnt to regard these native states as the break waters which contributed towards their own safety. Thus every ruler was guaranteed the perpetuation of the rule of his dynasty. The exclusion of Indians was also sought to be remedied by a declaration in the proclamation guaranteeing equal opportunities. Thus as Sir Lepel Griffin affirmed, 'Perhaps a more fortunate occurrence than the Mutiny of 1857 never occurred in India. It swept the Indian sky clear of many clouds. 'It disbanded a lazy, pampered army, which had become impossible. It replaced an unpro-

gressive, selfish and commercial system of Government by one liberal and enlightened. It attached the Sikh people to their rulers and made them the surest support of the Government. Lastly, it taught India that the English possessed a courage and natural spirit which marched confident to victory although the condition of success appeared all but hopeless.'

DECENTRALISATION OF INDIAN FINANCE.

Three independent treasuries till 1833; the unification of the country by the Charter Act of 1833, an undivided purse, all expenditure by the Governor-General-in-Council, defects of the system, Lord Mayo's financial reforms, first step in decentralisation of expenditure, underlying ideas. The Revision of 1877, a share in the revenue from certain departments, Lord Ripon's reforms, the system of imperial, divided, and provincial heads, decentralization in revenues, the revisions of 1892 and 1897, defects of the system, the revision of 1904, settlement made quasi-permanent. The revisions of 1907 and 1917, the pre-Reform finances. The recommendations in the Montague-Chelmsford Report, division of administrative subjects between the Provincial and the Central Government, distribution of sources of revenues and heads of expenditure, abolition of divided heads, provincial contributions, the present system, its shortcomings, financial autonomy for the provinces and the Government of India.

In our study of the Government of India, we have seen that at first this Government was carried on by three independent presidencies. They were at last brought, by the Act of 1833, under the supreme authority of the Governor General of India in Council. This Act cen-

tralised the work of the Government in matters of finances as well as of legislation. The revenues of India were to be treated as an undivided whole and no Provincial Government was to have any power of making disbursements, without the previous sanction of the Governor General in Council. Thus all the revenues, where-ever received, were credited to the account of the Government of India, which took upon itself the task of distributing this huge sum. The Government of India had to sanction money, even for purely local needs The sanction of a viceroy had once to be obtained for the employment of an additional sweeper in a local dispensary. Every year the Provincial Governments used to send in their demands to the Imperial Government which then proceeded to allot mon y to different provinces. But the system of centralization did not succeed very much. The Indian Councils Act of 1861 reversed this decision in legislative matters, and its reversal in the field of finance was soon to follow.

Indeed the system had many defects. The Imperial Government possessed no independent means of checking the demands of different

provinces. There was thus a scramble between different provinces for getting as much out of the Imperial Government as possible. Different provinces did not know the needs of their neighbours or of the Imperial Government, and in their estimates failed to take the financial aspects of the question into consideration. This led to the difference of opinion and unpleasantness between the provincial and the Imperial Government. This was increased by the fact that unspent balances were taken over by the Imperial Government. Thus the distribution of money between different provinces was not satisfactory. On the other hand, local sources of revenue were little developed; the collection of revenue was faulty, and the local Governments were not prepared to improve the machinery of collection, because increased revenue would bring no benefits to them.

When the reorganisation of Indian finances was undertaken after Mutiny, these defects were pointed out. Many attempts were made to modify the system. It was not before Lord Mayo's time, however, that any effective changes were introduced. Under the new system in 1870, eight departments were made over to

Provincial Governments, including Education, Police, Roads, Medical Services and Buildings. A lump sum grant was made to different provinces for these eight departments. As it was less than the amounts spent by these Governments, they were allowed to impose local taxation for making up the deficit. The provinces were allowed to transfer grants from one subject to another. Thus on the spending side the provincial Governments were given some discretion. But no interest in the collection of revenues was created in the Provincial Governments and hence there was evasion. Local taxation was increased, as the result of the fact that less money had been provided. Lord Mayo's hope that the system would induce economy in the local governments broke down and this led to unpleasantness between the central and the provincial governments, and this posssibly to the development of local self-government. These arrangements were revised in 1877, when land revenue, excise, law and justice were also made over to local Governments. For the maintenance of these departments, the Governments were given a share in the revenue of these very departments. Thus their interest in the collection of revenues was increased.

This settlement was revised in 1888 by Lord Ripon. He introduced the system of Imperial, Divided and Provincial Heads of Revenue. All sources of revenue were under this system divided into three classes. The income from the Imperial Heads of Revenue was to go to the Central Government. The provinces were to get all the income from the departments under their control. The deficit in the Provincial Budgets was made up by the Imperial Governments dividing with them the income from certain sources of revenue which were mainly Imperial. Thus decentralisation was carried a step farther by linking up expenditure to revenue. This settlement was revised after every five years. Under this system the Provincial Governments were assured an income independent of Imperial necessities. Of the four sources of danger in the Indian revenues, the war, exchange, opium and famine, the provinces were to be affected only by the last. The revisions of the settlement in 1892 and in 1897 did not introduce any new principles.

Even now the financial systems of the provinces were not stable. The Government of India could appropriate unspent money. In case

of a War, it could sometimes draw upon the resources of the provinces. Thus any motive for economy was lacking. Towards the end of the settlement there was an undue haste in spending outstanding balances, the last decrease in expenditure was taken to mean a decrease in the standard of expenditure as well. Whenever the settlement was to be revised, the old scramble for money and more money would reappear. On account of these difficulties, the system was modified in 1904 and made quasi-permanent. The different subjects of administration were divided between the Imperial and the Provincial Governments. The Central Government was left in charge of subjects which were of all India importance, while to the provinces were delegated subjects of local interest. For financing these departments, the local Governments were to get all the revenues from the Provincial subjects and a fixed percentage of revenue from divided heads, which was different for different provinces. The settlement was not to be disturbed except in case of extreme necessity. Local Governments could now count on the continuity of financial policy and were able to reap the benefit of their own economies, without

being hurried into ill-considered proposals in order to raise their apparent standard of expenditure. The relation between the Central Government and the Provincial Governments were smoothed, and it was made possible for the Central Government to judge their resources better. In 1907 a Famine Insurance Scheme was devised by means of which the Imperial Government was to contribute towards the building up of a Reserve Fund for meeting expenditure in case of a famine. In 1917, this practice was simplified by deciding that the Government of India and provincial Governments would contribute towards famine relief expenditure in the proportion of 3: 1.

Even as it stood, the system was far from being perfect. It stood in the way of the provinces getting larger administrative powers. The Government of India was ultimately responsible for provincial solvency, which necessitated a control over provincial expenditure. This, some times, amounted to interference in the administration of the provinces. The Government of India shared the receipts from certain departments with the provincial Governments. They had thus an interest in the collection of re-

venues, which they could use for interference in details of administration as well.

These and similar reasons led the authors of the Montague Reforms Scheme to recommend that the provinces should have their independent sources of revenue. This meant abolishing the system of divided Heads and separating the provincial finances from those of the Central Government. As things stood, it was impossible so to divide the sources of revenue between the Imperial and the Provincial Governments as to make them independent of one another. A deficit in the Central Revenues was anticipated. This was to be made good by lump sum contributions from the resources of the provinces. Lord Meston's Committee thoroughly investigated the problem, and upon its recommendations income from land revenue, excise, irrigation and stamps was also made over to the provinces, while income tax was kept in the hands of the Imperial Government. The Provincial Governments have also been given the power to borrow and to raise new taxes under certain circumstances. The transference of these sources of revenue to the provincial governments led to a deficit in the Central Go-

vernment. This was to be made good by contributions paid by different provinces to the Central Government in a ratio fixed by Lord Meston's Committee after considering various relevant facts, among others, the relative increase in provincial revenues from the new arrangements. The process was now reversed. Whereas previously the Goverment of India used to give doles to provincial Governments in the pre-reform days, the provinces were now to make contribution towards building up central revenues. But the difference was, that whereas in the earlier case the donor used to be the judge of his contributions, the provinces are now compelled to make payments fixed upon by the Central Government. This financial devolution led to a relaxation of Imperial control over provincial Governments in matters of revenue.

It is unfortunate that financial troubles of different provinces did not allow a fair trial of the system. The very idea of the provincial contributions was objected to by critics, who pointed out that there could be no logical basis in levying them, just as there used to be no logical basis for the old system. The differences

in the taxable capacity of different provinces and the differing margin of expansion therein, increase the difficulty. The arrangement was so faulty as to compel the Central Government to remit partly the contributions from Bengal. A surplus in 1925 led to the decrease of provincial contributions ; yet controversaries between the Government of India and the Provincial Governments still continue. Better budgets have now wiped out this source of unpleasantness between the Government of India and provincial Governments. As things stand at present, the control, financial and administrative, of the Government of India, over transfered provincial subjects, has been replaced by that of the provincial legislative. The budget in the transferred departments is now completely under the provincial councils, unless the Governor general asks the governor in council to take over the charge (temporarily) of the transferred departments. Over the reserved department the ultimate control of the governor remains, as he can certify the budget. In the imperial government the power of the governor general to certify the whole budget remains and thus there is no democratic control in the central

government. Naturally the control of the secretary of state over the government of India in financial, as in administrative matters remains, except when the government of India is supported by the legislature.

The question of financial independence closely affects that of provincial autonomy as we have already seen. Unless the provinces get full control over their sources of income, they cannot enjoy full administrative freedom. For this purpose it is imperative that the provinces should cease to make any contributions to the Government of India, and should be independent of any financial control either by the Government of India or the Secretary of State. It is also necessary to set up independent provincial department of accounts and auditing. The provincial Governments should, moreover, be free from the control of the Government of India in imposing new taxation. All these questions are bound up with that of the next instalment of reforms, though some of the reforms can be effected without any modification of the Government of India Act. As in administration, we shall have to evolve a federal system of finances, wherein provincial and Central

sources of revenue are rigidly kept apart, and where the Central Government does not exercise any control actual or theoratical over the development of provincial sources. This can be done by drawing up an exhaustive list of taxes permitted to the Central Government as well as those under provincial control. The question of exercising residuary financial power is bound up with that of residuary administrative powers and both will reside in the same authority.

DEVELOPMENT OF LOCAL SELF-GOVERNMENT IN INDIA.

The Indian village, its republican self sufficiency, the British neglect of village institutions, the beginnings of municipal life, corporation of Madras 1687, early experiments in the Government of the three presidency towns, municipal institutions in the mofussal, centralization of the work of the Government, a bar to the development of local self-government, Mayo's Decentralization scheme and consequent attempts at introducing the elective principle, Lord Ripon's revision of financial relations, his Resolution on local self-government, the failure of earlier attempts, prospective decrease in efficiency not overlooked, conscious devolution of power to popularly elected bodies as an instrument of political education, his aim and hopes, provincial acts on local self-government, the caricature of his ideas by provincial governments, result of the measure, Lord Elgin's Resolution, the Decentralization Commission, Lord Hardinge's Resolution, Local Self-Government just before the Reforms, Montague-Chelmsford Report, Lord Chelmsford's Resolution, Reforms Act and the new Regime, improvements suggested.

It is a matter of common knowledge, that the Indian village has for long been a sort of a republic. Not only has it been economically self-sufficient, but on the administrative side

its independence and isolation was complete. As Metcalfe puts it, "they seem to last, where nothing else lasts. This union of village communities, each one forming a separate little state in itself, has contributed to the preservation of the people of India through all the revolutions and changes which they have suffered." Though nothing definite can be said on the point, it is possible that they are the last remnants of ancient republics of India.

Independent though the village was at the time of the British conquest of the country, the new rulers, under the influence of their own traditions, did not care to preserve this relic of ancient India. It is useful to remember, however, that at that time village economy and administration was fully functioning. Yet the British did not give them any place in their system of administration, and except for certain attempts made by Munro nothing was done to keep their internal economy intact.

On account of this destruction of the village functionaries, local self-Government in India does not owe much to these ancient Indian 'Small republics.' The beginnings of Municipal life in India are to be traced elsewhere. They

are to be found in the City Corporations of the presidency towns. In 1687 Madras got the right of establishing a Corporation with a Mayor, Aldermen, and Burgesses. The imposition of taxation by this body was resisted with the result that no appreciable improvement was made. In 1726 the three presidency towns were given the right of establishing a Mayor's Court, with a Mayor and Aldermen, but they were to perform Judicial functions only. In 1793 Justices of Peace were appointed in the presidency towns and they were entrusted with the work of managing the conservancy arrangements of these towns. Between 1840 and 1853 an elective element was introduced in the Coprorations, but the decision was reversed in 1856, when the work in the presidency towns was entrusted to three nominated commissioners. In 1872, 1876 and 1878 attempts were made to introduce the element of election by the rate payers. We should remember that throughout these years what was being attempted was not the setting up of real Municipal institutions in the country, but rather provision for conservancy arrangements in the presidency towns.

Outside the presidency towns, the first attempt to set up Municipal institutions was made

in Bengal in 1842. By an Act of that year permission was given to set up Municipalities outside the presidency towns. But this experiment failed on account of the antipathy of the people towards direct taxes. In 1850 an Act was passed for the whole of India allowing the setting up of Municipalities with power to levy indirect taxes. The Act was utilised to some extent in Bombay, the United Provinces and the Punjab. During the sixties of the last century, more acts were passed for introducing Municipal Governments in towns. The impetus had come from the Report of the Royal Army Sanitory Commission, 1863. Nominated Commissioners with the right to raise taxes effected some improvements in the condition of the cities. But as in presidency towns, real municipal life was long in appearing. The exception had been Montgomary's attempt in the Punjab to set up virtually elected bodies in Municipal towns after 1863. It is interesting to note that this attempt at introducing local self-government in the Punjab was extra legal if not illegal.

All through these years one great difficulty had been the centralization of the work of

the Government. Before the Municipal institutions could be set up with real rights and powers, it was necessary that the Government should admit the usefulness of the principle of decentralisation and delegation of powers. This was attempted by the Indian Council's Act of 1861 and to a larger extent by Lord Mayo's resolution on decentralisation of finance. As Lord Mayo himself put it, one object of that scheme was to 'afford opportunities for the development of self-government and for strengthening Municipal institutions'. Several Acts were passed for translating this pious wish into action, extending the elective principle. But much advantage was not taken of these Acts, and in the whole of India they did not result in establishing more than twenty municipalities outside the Punjab. Here in 324 towns some sort of municipal government was being tried under executive supervision. But we must remember that the driving force behind all the work so far done was provision for sanitation and protection of cities and towns and there was no idea of any devolution of functions.

When Lord Ripon revised the financial relations, he issued a circular letter wherein

the principles of his famous resolution of the next year were made public for the first time. Lord Ripon was a liberal and he believed in the universality of the public institutions. He came to the conclusion that the representative Municipal institutions which had been a success in the West could succeed as well in the East. He did not see any reason why an institution so useful in the West could not prove its usefulness in India. Of course, he knew that the introduction of representative element in the Municipal Government would not mean an increased efficiency. He boldly proclaimed that it was not primarily with a view to improvement in administration that the measure was put forward and supported. It was chiefly desirable, he maintained, 'as an instrument of political and popular education'. This was really the fundamental difference between his point of view and that of his predecessors. He did not attach much value to the supposed indifference of the people to Municipal Government and put the blame for the failure of earlier experiments on the officials. He, therefore, suggested to the provincial governments that Municipal Boards

should be set up in all important towns. For rural areas, he advocated the establishment of Taluka Boards and District Boards. All these bodies were charged with definite duties and definite sources of income were allotted to them. These bodies were to have a non-official majority of members. The official members were not to exceed one-third of the total number. Election was to be resorted to, wherever possible, and the Governor General hoped that this system would predominate in the end. It was suggested that these Boards might have non-official chairmen, so that " Non-official members must be led to feel that real power is placed in their hands and that they have real responsibility to discharge". Internal administration of the Board was to be left free and official control was to be exercised from without rather than from within. The Government was to revise and check the acts of the local bodies rather than dictate to them. He thought, it would thus be possible for capable Indians to find an outlet for their abilities in the work of these bodies where they would enjoy definite powers.

As has often happened, the provincial Governments were not as enthusiastic over the

measure as the Governor General was. Anyhow, following this resolution many provincial Acts were passed to translate its principles into action. A Local Board's Act was passed in Madras in 1884 entrusting to Local Boards the work of lightening and cleansing the streets, education, water supply and Medical aid. The Boards were to be financed by a light tax. Bengal followed with an Act in 1885, while in the Punjab a District Boards' Act was passed in 1884 and a Municipalities' Act in 1884. In most of the provinces the provincial governments modified Lord Ripon's principle to suit local conditions. As a result of these Acts a wide extension of the elective system took place. Some towns were allowed to elect their own non-official chairmen. Municipal resources were increased. Many towns were relieved of expenditure on police, thus setting free funds for other and more useful purposes. The Boards that were thus set up in the towns, tahsils and districts were charged with the work of education, roads, sanitation and water supply. The Government looked to Local Self-Government as affording a field in which Indian talent could be utilised for the management

of their affairs. But the local bodies thus set up had little funds and failed to attract able Indians to their work, because not many real powers were entrusted to them. Some felt this kind of work too petty to deserve their serious attention. But for all this, Lord Ripon was not to be blamed. He wisely conceived and carried through, a measure, which would have constituted a substantial advance in Local Self-Govenrment.

Lord Ripon's resolution remained the bed-rock of Municipal Government in India for many years afterwards. Lord Elgin also issued revised instructions on the subject. In 1907-09 the decentralisation commission examined the whole problem and paid a well-deserved tribute to the work of Lord Ripon, suggesting in the end that Panchayats should be set up in the villages to link them up with the system of Local Self-Government. In 1915 Lord Hardinge issued a resolution on the subject and pointed out that many of the suggestions of Lord Ripon had been disregarded. He proposed that measures should be taken in order to carry them out, by guaranteeing a substantial elective majority in local Boards,

and by allowing them to elect their own presidents. Yet when Mr. Montague and Lord Chelmsford studied the problem of Self-Government in India, they found that much remained to be done before these institutions could become really democratic. Indeed their chief complaint against the Morley-Minto Reforms of 1909 was that they had left untouched the problem of Local Self-Government. "The policy of directing the growth of Local Self-Government from without, rather than from within has been sacrificed to the need for results and with the best intention the presence of the official element in the Boards has been prolonged beyond the point at which it would merely have afforded very necessary help up to a point at which it has impeded the growth of initiative and responsibility." They also commented unfavourably on the presence of District Officers in the Local Boards. In the Montague Chelmsford Report the first formula of advance adopted was that there should be, 'as far as possible complete popular control in local bodies and the largest possible independence from outside control.' This was followed by a comprehensive resolution of

the Government of India. It laid down the lines of advance. Local bodies were to be democratised in their construction and were to have a substantial elective majority. Non-official elected chairmen were to be allowed. Municipal and Local Boards should be allowed to vary the taxation. The amount of interference in their budget and their establishments was to be lessened, and they were to be allowed control over their own establishments.

But before anything substantial could be done in this matter, the Reforms Act had become the Law. Local Self-Government became a transferred subject entrusted to a Minister working under the Legislative Council. This led in some provinces to a rapid advance towards the desired end. The old District Boards' and Municipal Acts were modified. Permission was given to establish elected Small Town Committees in places which could not have Municipalities. Panchayats were set up in villages to look after village sanitation, education, and to perform judicial functions as well. The Calcutta Municipality Corporation Act revolutionised the Municipal Government of the premier city in

India. Even now, however, the pace of advance needs acceleration, before the lethargy of the people or the antipathy of the officials can be conquered. Communal jealousie also need be controlled. It is unfortunate that even now, when Local Self-Government is a transferred subjects, the control over Municipalities and District Boards is being exercised through the executive officers. It is unfortunate that in the Punjab at least even after a decade of reformed government the District Boards are still presided over by deputy commissioners. Even our Municipalities are not yet free from the petty interference of local officials. As was suggested by Sir Surender Nath Bannerjee, a Local Self-Government Board should be set up which should bring the individual municipalities in touch with the Minister and exercise the control now exercised by the Commissioners and Deputy Commissioners. Another advance is necessary to give to these bodies, as suggested by the decentralisation commission, complete control over the establishment that they employ. But the crying need of these bodies is the importation of such public spirited persons as their members who

should be above caste and creed and who should not utilize their position for purposes of jobbery, corruption and concealing inefficiency. Indian politicians need learn the lesson, that just as the London Country Council affords larger opportunities of public service than the House of Commons, similarly in India, our Municipalities can afford a better field for the exercise of talents than a legislative council. The voters also need be awakened to their responsibilities. It is in the towns that the relation between a voter and his representative can serve as a useful tie for the improvement of public affairs. It is time, as well, that local boards began to organise services of their own on which they can rely and which do dot persevere in thwarting schemes upon which their training might make them to look with suspicion.

THE PRESS IN INDIA.

Early Anglo-Indian papers, Warren Hastings and "Bengal Gazette," Cornwallis and "The Indian World," Lord Wellesley's press regulations aud censorship, Lord Minto's revised code, Marquis of Hastings' comprehensive regulations and consequent comparative liberty of the press. Director's annunciation of their press policy, Adam and Bukhingham, Sir Charles Metcalf and the abolition of censorship regulations, the mutiny and consequent curtailment of the liberty of the press, temporary setting up of censorship, the establishment of the Bengalee and the Amrit Bazar Patrika. Lord Lytton's measures against the vernacular press, Deputation to England, Gladstone's sympathies, Lord Ripon and the freedom of the Press, Section 124 A of the Indian Penal Code. The ferment after the partition, seditious writings in the press, the Resolution of 1907, Newspaper Act of 1908. The Indian Press Act of 1910, the intervention of Lord Sinha and Lord Morley, the Press law committee, Repeal of the Press Act, Princes' Protection Act, the racial division in the press, future possibilities.

The News-paper press is a thing of slow growth in India. When the British came here, it was unknown and we might regard it as one of the fruits of the contact between the East and the West. The earlier attempts at journalism were made by Englishmen.

The idea was to provide material for the amusement of Europeans and Anglo-Indians. These papers sometimes indulged in a criticism of the Government, but the first attempts at regulating their writings were made more or less with a view to prevent them from attacking Indian institutions. It took a long time before Indian papers in vernacular began to be published. In 1878 the first attempt was made to differentiate between the papers that were edited by Indians and those that were under European editorship. This was, however, repealed by Lord Ripon, who put both sections of the press on an equal footing.

The history of press legislation in India is really a story not only of the Government's attitude towards this public institution, but of the different dangers which dominated from time to time our foreign policy. The first Indian news-paper was the "Bengal Gazette" founded in January, 1780 by Hicky. This was a weekly paper. It soon got embroiled itself with Warren Hastings on account of its libels against Mrs. Hastings and others. The circulation of the paper through the post office

was stopped in November, 1780, because there were no specific press laws under which the paper could be dealt with. The editor was imprisoned and the paper finally closed down in 1782. Cornwallis had also some difficulty with the press. He deported Duane of the "Indian World" to Europe. Duane had already been arrested and orders for his deportations had been passed in 1780, but he had been pardoned. When Lord Wellesley came, the Napoleonic wars necessitated a stricter supervision of the press. By that time many papers had appeared. It was thought necessary to control them so as to baffle the French in their attempts at getting information from the East. With this idea in view press regulations were promulgated, which established a censorship of all that was published in the newspapers. Every item of news, as well as every comment, was first submitted to the censor and then alone could it be allowed to be published. Government also required the names of editors, proprietors and printers to be published. Lord Minto revised the press code and maintained a vigilant control over the press. It was not uncommon for officials in

those days to indulge in criticism of the Government, but when an officer published an angry criticism of certain actions of the Government, Minto made him apologise.

During the Governor Generalship of Marquis of Hastings censorship was abolished in Bombay and Bengal, because the Governor General believed in the liberty of opinion as the natural right of subjects. In Bengal, too, much liberty of expression was allowed. It is interesting to note that Sir Thomas Munro did not approve of these liberal tendencies on the part of the Governor General and considered them to be dangerous to the permanance of English rule in India. The Governor General promulgated regulations strictly laying down what an editor should write and avoid. It was at this time that some public-men in Bengal used the press for the purpose of criticising social evils. Soon after, the directors laid down what they considered to be the guiding principle in the matter of press legislation. They approved of the reforms introduced by Marquis of Hasting, at the same time laying down that the liberty of the press

was not an absolute right, never to be taken away.

Hastings was followed by Adams, who did not very much like the tone of the European press. He had a quarrel with Buckingham of the Calcutta Journal. He deported him to England for his attacks on the Government. Not content with that, he introduced a regulation by which news-papers were placed at the mercy of the Government. Every newspaper had to take a license from the government which could be cancelled at any time at its pleasure. Attempts were made, in vain, to get the Supreme Court declare the regulation illegal. Buckingham, however, succeeded after a good deal of litigation, in getting a compensation for his being compelled to leave India.

Lord Amerhest, who succeeded Adam was bent upon following in the footsteps of his predecessor and took vigorous measures against such Anglo-Indian journals as offended his taste. When Lord William Bentinck became the Governor General, he did not very much interfere with journalistic activities, though he believed along with Munro that the press in India required looking after. It was Sir Charles

Metcalfe who removed all restrictions on the press and allowed it complete freedom in discussing all questions of importance. By this time the press in India had ceased to be a monopoly of Anglo-Indians and there were some important vernacular journals in existence, though their circulation did not amount to very much. In 1857 it was found necessary to curtail the liberty of the press for military reasons by a temporary measure to remain in force one year. This placed the Indian press in almost the same position which it had enjoyed before Metcalfe's famous law. It re-enacted the licensing regulation of Adam's days. This censorship was withdrawn in 1865.

It was in the sixties of the last century that some of the Indian papers were founded which are in existence even to-day. The Bengali and the Amrit Bazar Patrika were among the papers which were founded at that time. None of them was a daily yet. It was about this time that the Akhbar-i-Am was founded as a weekly paper at Lahore.

When Lord Lytton committed that unpardonable blunder of embarking upon the 2nd Afghan war, it was found necessary by his Government

to enact a press Act. There had been much sympathy shown for the success of the Russians against England about this time in some of the papers. But Government was ill advised in making a distinction between the English and the vernacular press. It was the first time when such a distinction was made and it smelt of racial prejudice. The measure was directed against the vernacular press only and it gave the Government power to ask for deposits from the publishers and declare this deposit a forfeit when anything objectionable appeared. It could even seize the printing machinery and thus stop publication. This deposit system resembled the English custom of high stamp duties with which an attempt had been made to keep down newspapers. That the Act was a superfluity was proved by the fact that it was put into use only once during the four years when it was in operation, though securities were demanded from a few more newspapers as well.

This measure was resented as an attempt of the Government to curtail free expression of opinion. A mission was sent to England to interest the liberal party in the question. The mission succeeded in arousing the sympathy of

Mr. Gladstone, who, as the leader of the opposition protested against the measure and called for papers. When Lord Ripon became the Viceroy and the Liberal party came to power, Gladstone had the Varnacular Press Act repealed. Ripon relied upon section 124A, of the Penal Code which laid down adequate punishments for seditious writings. The press was free and even the law of sedition was put into use only infrequently.

The partition of Bengal, in particular,and the regime of Lord Curzon in general, produced a new tone in the Indian Press. There was open criticism of the measures of the Government which in certain cases became unfair. A section of the press became openly hostile towards the Government. This led to the resolution of June 1907, whereby the Government of India declared that it would put the law of sedition in motion whenever it found necessary. Following this resolution came the prosecution of many papers for sedition. In almost all the cases the offenders were convicted. Yet the trouble was that the disloyalty of this section of the press was simply a symptom of a growing unrest in the country. In 1908, a Newspaper Act was passed by which

incitement to acts of violence gave the Government the right of forfeiting the printing press. This was admittedly a temporary measure passed in a moment of panic, when incitement to violence was becoming a growing feature in some of the newspapers. In February 1910, its place was taken by an Indian Press Act of 1910. It was a comprehensive measure. Every keeper of a printing Press could be required to deposit a security, which would be forfeited by an order of the Government, issued on the printing of objectionable material. The publishers of the newspapers were to deposit similar securities which could be forfeited under similar circumstances. Thus it revived the system of Lord Lytton's days. The Indian Press was to be controlled by a threat of forfeiture of security. Orignally the Bill contained no provisions for an appeal to Courts of Law. Lord Sinha, the Law Member, and Lord Morley, the Secretary of State, succeeded in getting the recognition of the principle of an appeal to the High Courts. In practice, however, it was found that this provided no protection to Indian journalists. On more than one occasion, the High courts refused to inter-

vene, holding that the Act did not give them such authority.

Indian opinion resented the Press Act as an undue interference by the executive in their lawful activities. The right to appeal proved illusiory and increased the resentment against the measure. After the introduction of the reforms when Sir Tej Bahadur Sapru became the Law member, a committee was appointed under him to examine this question. It reported in favour of the repeal of this measure, though it suggested that the name of every editor should appear on his paper. The pressure of the Secretary of State resulted in the enactment of the Prince's Protection Act, by which offences against Indian Princes are to be dealt with as seditious offences. The Press Act was accordingly repealed with this amendment.

The Press has now become a growing power in the country. It is unfortunate that there is a racial division between writers on all important questions. Vernacular papers have still much to improve, though their growing number is an evidence of their increasing importance. Except at certain critical moments, the criticism of the Indian-edited press is generally fair.

The Government is under a disadvantage, because its intentions and measures are sometimes misrepresented, but the recent attempts at setting up publicity departments in various provinces have not been much of a success. It is hoped that the development of responsible Government in India would bring with it the emergence of party system along with party newspapers.

The recent promulgation of an ordinance, reviving and adding to the worst features of the Press Act of 1910, threatens to defeat its objects. The almost general refusal of the Indian section of the press to conform to its vagaries may bring forth a problem hitherto unequalled in the history of the world. We only hope that this grim feature of a 'war time' would soon come to an end.

THE ARMY IN INDIA.

The Chowkidar orderlies of the factories, the second period and the Presidency armies under the company. The French example, Major Lawrence, the Father of the Indian Army, Clive's organisation of the army, Re-organisation of 1796, renaming troops in 1821, the three sections of the army. The Indian Army in 1857, its earlier mutinies, the Indian Mutiny, consequent changes in the Indian army, attempts at unifying army administration. The Army Organisation Commission of 1879, the Punjdeh incident and the establishment of the Imperial Service Troops, unification of the army in 1895. Lord Kitchner's reforms, Kitchner—Curzon controversy, the Great War, the disaster in Mesopotamia, the Mesopotamia commission, defects in the army revealed, the Esher committee and the Legislative Assembly, Lord Rawlinson and the period of army consolidation, the four commands, their three divisions. The six classes of fighting troops. Indianisation of the army, the suggested improvements. The Skean Committee, the Shea Committee.

When the British came to India, they were traders, depending upon the favour of the Mughal Court. As the Central Government was able to keep peace in the country, all that these traders needed by way of an army were some ill-armed sepoys, who could be used more

for dignity than defence. The British had no idea of fighting for political ends and therefore never troubled themselves with the upkeep of an army. A small number of European soldiers were imported into Bengal, Bombay and Madras and became the nucleus of the European section of the army in India.

The second period of the history of British army in India begins from 1709 and ends in 1857. During this period the presidency armies were being developed under the Company. As in administration, the example of the French was catching, and to quote the writer in the Imperial Gazetteer of India, "It is indeed hardly too much to say that we owe our native army to France." Dumas and his successors at Pondicherry began to build up a native army trained after the European model. This was followed by Dupliex' entanglement in South Indian politics. During the war of the Austrian Succession, Madras was taken, but more important was the defeat of Anwar-ud-Din's troops at the battle of St. Thomas. As remarked elsewhere, this was the first declaration of European superiority over ill-disciplined Indian troops. The English were quick to follow, and Major

Lawrenee, the father of the Indian army, enrolled a large number of Sepoys at Madras in 1748. This was the beginning of the Indian army in India.

The rivalry between the French and the English led to constant wars between these two powers, and thus, not only was the strength of the Indian section of the army increased, but reinforcements of European troops were also arriving from time to time. This swelled the ranks of the army and some sort of organization had to be introduced. This was done by Clive 'who divided the army into three brigades, increased the number of officers in each, formed regular regiments, and otherwise, improved army organization. By this time the company was acquiring territory and therefore needed well disciplined troops.

The next reorganization of the army came in 1796. By that time the Company had 1[illegible],000 European troops and 57,000 Indian troops. As remarked above there were three independent army commands in India in the three presidencies. Their division into battalions and regiments was now put on a new basis. The prospects of the British officers were bettered by increasing

the numbers of officers in each regiment. The Indian officers lost in dignity and power. A good deal of power was concentrated into the hands of the Colonels of regiments. There was another reorganization and renaming of troops in 1821.

During this period the army in India could be divided into three sections. There were the Indian troops serving under the Company. Most of them belonged to high caste families and possessed all their prejudices. Besides the regular troops there was a number of irregular local regiments raised for local purposes. The European section of the army in India consisted of King's troops and company's soldiers. The Kings troops were the British soldiers sent on garrison duty to India. The Company's soldiers contained among them Europeans of all nationalities locally recruited. They formed an ill-fitting unit.

In 1857 there were 39,500 Europeans and 3,11,038 Indian soldiers in the employment of the Company. This number had been gradually built up. The traditions of the Indian army were glorious. As Seeley points out, practically the Indian section of these troops had conquered

India for the foreigners in a mercenary spirit. Their conquests ranged from Burma in the East, to Afghanistan in the West, and from the Punjab to Mysore. The Indian army had in reality built up the fabric of the British Empire in India. It had a splendid history, but from the very beginning trouble had not been infrequent. Mutinies had occurred, which were sometimes sternly repressed, and at other times weakly tolerated. When the English were fighting the French in the South, there had been an outbreak of Mutiny on the part of the European soldiers, which was lightly condoned. In 1764, the Bengal Sepoys mutinied and were followed two years later by European soldiers who mutinied due to the reforms of Clive. In 1806 occurred the Mutiny at Vellore, where the sepoys had been exasperated at the introduction of innovations which they considered an attack upon their religion. They were mercilessly dealt with, though the regulations as to dress and caste-marks on the forehead were repealed. In 1809 there was a mutiny among dissatisfied European soldiers, which affected the sepoys as well. The most significant, however, was the Mutiny at Barrackpore in 1824.

From religious scruples, the Indian soldiers refused to march to Burma, where they were bound to go. But worse still, as the official court of enquiry found, the Mutiny was due to 'an ebullition of despair at being compelled to march without means of doing so.'

In 1857 occurred the Indian Mutiny, though it is more right to call it a Mutiny of the Bengal army. As in the case of the mutiny at Barrackpore, it was due to the official mis-handling of a delicate situation. Many reasons combined together to produce a feeling of mistrust and suspicion in the minds of the sepoys and the greased cartridge affair proved to be the last straw that broke the camel's neck. But for the presence of other disturbing causes, which were religious, social and political it might have been localised. After strenuous fight-ing, disfigured with deeds of cruelty more or less on both sides, the Mutiny was brought in hand and the English reconquered India mainly because of the loyalty of the Indian Rajas, and the armies of Bombay, Madras and the Punjab. The Bengal army, however, got dissolved in the turmoil.

As the result of the Mutiny, India was transferred to the Crown. This was followed by a reorganisation of the army in India, which was not complete till 1861; thus beginning the third period. The king's troops and Company's soldiers were amalgamated, the Indian troops were, with a very few exceptions, deprived of their artillery. The ratio of the European troops to the Indian troops was increased by decreasing the number of Indian soldiers. There was a general decrease of 40 °/ₒ in the total strength of the army, but the number of British troops was increased by 60 °/ₒ. The regiments came to be recruited from the same caste and religion and a spirit of rivalry, if not of animosity, between different regiments was encouraged. An increased recruitment of the Sikhs and the Gorkhas began to make up for the Porbias, who were disbanded. The question of the purpose and the status of this army was hotly discussed, but at last the number of British soldiers in India was fixed with an eye to Imperial needs and the British troops in India came to be treated as a garrison. This led in 1872 to the sacrifice of India's interest when Mr. Cardwell introduced the Short-Term System in England.

Soon after, an attempt was made to unify in some respects at least the three presidency armies. In 1864, the Military accounts were brought under one control; in 1876 one Remount department was established for three armies. In 1884 similar advance was made in the Ordinance and the Transport. The Army Organisation Commission of 1879, set up by Lord Lytton, reduced the strength of the army, as well as of the officers. It recommended the unification of the three presidency armies. But this was not affected till the year 1895, when the fourth period of army history begins. In 1886 a system of linked battalions in groups of two or three was introduced by which mutual interest in the units concerned was increased and it was made easy to get reinforcements in times of war.

In 1885 the trouble at Panjdeh magnified the Frontier Problem, and an increase of 12,600 troops was affected for the defence of the North Western Frontier. The same incident was responsible for the foundation of the Imperial Service troops in 1885. These troops embodied the generous offers of help made by Indian princes at the threatened danger to India.

In 1895 the armies were unified, thus beginning the fourth period in army history. Instead of three presidency armies, Four Commands, Punjab, Madras, Bombay and Bengal, under Lieutenants-General, were introduced. They had each an army and departmental staff and so the military departments of Bombay and Madras were abolished. These commands, as the new divisions of army were now called, consisted of heterogeneous districts and thus there was some trouble. When Lord Kitchner became the Commander-in-Chief, he introduced many reforms in the army. A fifth Burma Command was added, the Irregular Hyderabad Contingent was distributed between Bombay and Madras, while Punjab Frontier Forces were also similarly dealt with. A renumbering of units also took place about this time. Uptil now the Commander-in-Chief had to submit his proposals to the Government of India, through the Military member of the executive Council. Lord Kitchner proposed that the Commander-in Chief should alone remain the sole adviser of the Government of India in military matters and, therefore, the office of the Military Member should be

abolished. Lord Curzon feared that this would put too much power in the hands of the Commander-in-Chief, because he would be the sole military adviser of the Government and thus in a position to carry his proposals. This sharp difference of opinion led to the question being referred to the authorities at home who decided upon a compromise. A Military member was to be retained for the supply department. Lord Curzon bargained for the appointment of some distinguished soldier to that office with a view to utilize him for obtaining Military advice as well. The Home Government, however, appointed a member, who could by no stretch of imagination, be called a distinguished soldier, capable of offering advice, which might be put against that of the Commander-in-Chief. The fact was that the home authorities were in favour of Lord Kitchner's proposal and had meant the compromise to be understood as such. Lord Curzon resigned in protest. The Military member remained till 1909, when the vacancy was not filled up, thus making the Commander-in-Chief the sole Military adviser of the Government of India.

In 1908, instead of Five Commands, the Indian Army was divide into two armies, Northern and Southern, under two General Officers, who were not to exercise administrative functions, which were concentrated in the hands of the Army Head Quarters in India. The Field Army at this time consisted of 1,52,000 soldiers, with 3 Frontier Brigades of 82,000 men.

Then came the Great War. India supplied large number of men for the defence of the Empire, whose work during the early critical days in France was without parallel. But when the conquest of Mesoptamia was undertaken by the Indian army, resulting in a disaster, many defects of the army organisation came into the forefront. The subsidiary services were undeveloped, the standard of equipment was low, the basis of the reserve was unsound, recruitment for war was defective, ammunitions of war could not be obtained in India, and worst of all, Indians were not taken in large numbers in the army. Of course, during the war, King's Commission had been granted to Indians, still it was felt that they were not being given their due place in the defence of the Country.

After the War, the Esher committee was appointed to investigate the problem of the organisation and administration of the army and also the place of the Commander-in Chief therein. Its recommendations were discussed in the newly formed legislative assembly and it was resolved that the purpose of the army in India was the defence of the country. This was not a mere academic declaration but had a practical bearing in determining the strength and the composition of the Indian army. Other recommendations of the committee resulted in better terms of service for Indian soldiers.

The Fifth period of consolidation begins in the year 1921, when Lord Rawlinson undertook to reorganise the army in accordance with post-war requirements. Equipments were bettered, the army was divided into four Commands under General Officers Commanding-in-Chiefs with full administrative duties. The armies in these different commands are of three sorts. The Covering Army has to make it possible for the Field Army to take the field and bears the first shock of battle. The Field Army is fully equipped to take the

field without being troubled by any other considerations. The third Section for internal security has to be responsible for peace and order.

The Army at this time can be divided into 6 divisions. There is first of all the Regular Army. It is seconded by the Reserve Forces on the one hand and the volunteers on the other. The first were constituted in 1886. The volunteers consist of the Auxiliary Force of European volunteers, which is a descendant of the volunteer Force established in 1851. The Indian Section of the Volunteers, the Indian Territorial Force, was established in 1920 only in response to the clamour of educated Indians. The fourth section consists of Indian State Forces, which descend from the Imperial Service troops established in 1886. Besides, there are a Royal Air Force and a Royal Indian Marine, still in the earlier stages of development.

The problem of the army in India was further examined by the Skeen committee. It recommended the establishment of an Indian Sandhurst in 1933 and the abandonment of eight unit scheme, whereby Indian commissioned

officers have been segregated. Its recommendations have been turned down by the Government of India. Further, the question of volunteer forces was also examined recently by another committee which recommended equalization of opportunities for Europeans and Indians. Its recommendations are also yet hanging.

This history of the army in India suggests one or two problems which need tackling. Indians were made eligible for King's Commission during the War and the insistence of the assembly has accelerated the pace of Indianisation. But, however content Indians might have been to leave the army department in the hands of the British Government, the Indian army will have to be mainly officered by Indians very soon. If this is to happen within some reasonable time, the pace of Indianisation will have to be much quicker than at present. The strength of the army and its cost to the country present another problem. It is time that the strength of the army in India was fixed with a regard to Indian conditions alone and India should cease to supply British army reservists and trained troops for nothing. The

development of the country demands that cost of the army be curtailed, and that is possible only by a curtailment of its number. A tribute is, however, due to men and officers who have built up the proud traditions of the army, won at many a battlefield.

EXPANSION OF BRITISH RULE IN INDIA

Trading period of the British in India, subsequent character of British expansion. The battle of Plassi and its results, the Seven Years' war, the battle of Buxar and the grant of Diwani; Kara and Allahabad. The first Marhatta War, the third Mysore War and the annexation of Baramahal, Malabar, Coorg and Madura. The fourth Mysore War and resulting annexations. Lord Wellesley and his annexations, transformation of the British Empire in India into the British Empire of India, Lord Minto and Ranjit Singh. The War with Nepal, The Hunt of the Pindaris and the third Marhatta War, Marquis of Hastings' achievement, Burma, Lord William Bentinck and Coorg, Lord Ellenbrough and the annexation of Sindh, Gwalior. The first Sikh War and the annexation of the Jullunder Doab, annexation of the Punjab, annexations of Lord Delhousie, Doctrine of Lapse, Berar, Oudh, consummation of the policy of annexation, close of the period of territorial expansion, Lord Delhousie's work in India, Queen's Proclamation and abstinence from future aggression, Lord Lawrence and Bhutan, the third Burma War, Lord Curzon and Tibet, the Persian Gulf, Lord Curzon's work in India.

The British came to India as traders and started their work with one or two factories-places of trade—on the West Coast of India.

They further got the permission to build a few factories in Bengal. These places made an humble beginning and served as trade centres. Surat was the chief place of trade, as it commanded the trade of Western India. Sir Thomas Roe had from the first laid it down as a maxim of British policy that they should mind their own business and should not interfere in political warfare. This advice was disregarded in 1697 when the British started hostilities against Aurangzeb's government in Bengal, with the result that all their factories were destroyed and taken possession of and they had to sue for peace, which was granted them. This kept the British quiet.

It was in 1738 that the British first thought of taking advantage of the anarchy and chaos then prevailing in the country to take sides in in the quarrels of Indian princes. But before this could be done, the Battle of Saint Thomes had been fought, which demonstrated the superiority of European trained troops over the undisciplined mob of an Indian army. Their first interference was none too happy, as they failed to assist their ally and made common cause with his enemy. Then came Dupliex's

grand plan of establishing the French in the position of arbitrators in the quarrels of Indian princes. It was a grand idea and Dupliex all but achieved it in the case of Carnatic and Haiderabad. The British Governor of Madras, Saunders, did not, however, allow grass to grow under his feet and decided upon a counter-stroke of his own. The result of the Carnatic wars that followed was to establish the French at Haiderabad, while the British got Mohammad Ali of Carnatic under their protection and kept him on the throne of Carnatic. This was their first beginning in territorial power, and as Seely points out, it was exactly similar to that which Haider Ali, or Ranjit Singh, Ali Vardi Khan or Asaf Jah made in the growing misrule of those days.

THE BATTLE OF PLASSI.

Then came the news of the expulsion of the British from Calcutta; it was this rather than the tale of the Black Hole which made the Madras Council send Clive and Watson to Bengal. The tortuous path which Clive followed in that country at last made him a fellow conspirator with other Indians conspir-

ing for the down-fall of Saraj-ud-Daula. The part that was assigned to him was that of bringing the whole thing to a head by challenging the might of Saraj-ud-Daula. His letter to the Nawab was followed by the engagement at Palassi, which, as events turned out, became a route rather than a battle. The conspirators were now successful and Mir Jafar was put on the throne of Bengal.

It was not the intention either of Clive or of his English advisers to to use the victory at Plassi for the purpose of acquiring territorial sovereignty in Bengal. What influence Clive wielded was due to his personal influence with the Nawab rather than to any treaty rights over the country. Of course the English got the districts of Twenty Four Parganas, but as the directors pointed out in 1765, the victory at Plassi did not confer even better commercial terms on the English, much less was it intended to mean acquisition of the whole of Bengal. The fact that Mir Qasim was allowed to become an independent sovereign proves that the British had not acquired any territorial right in Bengal. Had the Marhattas been not defeated in 1761 by Ahmad Shah, it is possible that Plassi

might have faild even to become the starting point of British rule in India.

The Seven Years War:—As it was, Plassi helped the British to a success over their French rivals. Chandar Nagar was brought under British control, Forde defeated the French in Northern Sircars, and the victory of Iyar Coot at Wandiwash (1759) decided the fate of the French in India. The final rasult was that the French were almost expelled from Southern India; their influence at the Court of Haiderabad was replaced by the English influence, and the English protectorate over Carnatic was confirmed and Northern Sircars were added to the English territory.

The Battle of Buxar and the Grant of Diwani:—The next step was taken by the British success at Buxar. The British had only acquired personal influence at the Court of Bengal, which any Nawab strong enough for them could shake off. Mir Qasim was such a strong man and the English president was willing enough, as Dodwell points out, to let him shake it off. But the relations between Mir Qasim and the British were complicated by ths greed of the members of the Bengal

Council and their insistence on enjoying the profits of the illegal private trade. It was the last fact which, as the directors were wise enough to discern, brought out hostilities between this capable ruler and the British. The Bengal Council by their rashness brought the British to the very verge of ruin from which they were saved simply by the valour of Major Adams. The Battle of Buxar was at last won and the victorious British could impose their terms on Shah Alam and Shuja-ud-Daula, while Mir Qasim became a fugitive. The result of the complicated negotiations was the grant of the Diwani of Bengal, Bihar and Orissa, to the British; Shujah-ud-Daula came in a way under their protection, while the payment of Rs. 26 lakhs annually to the Emperor became a guarantee of his good conduct. Thus the battle of Buxar put the British on the high way to the acquisition of India. They had defeated a combination of three capable rulers of the North and had been able to impose terms upon them which made them pay-masters of the emperor, protectors of the Nawab-Vizir of Oudh and virtual rulers of Bengal. A better stroke of good luck they had not yet experienced.

Clive's work in India:—When Clive joined as a clerk at Madras, the at British were mere traders, trading under charters granted by the English government at home and confirmed by the Firmans issued by the Indian princes here. They were content to govern their own factories in their own way and had no political ambitions. But when Clive lift in 1767, the English had become adminstrators and were on a sure way to an empire in India. They were masters of Bengal and held the purse strings of the Mughal emperor. The Nawab Vizir of Oudh was their ally, the Nawab of Carnatic was under their protection. They held the Northern sircars from the Nizam, who depended on them. They were undisputed masters of their factory towns in the Deccan. The French factories in the South were at their mercy and at the least sign of trouble they could occupy them. The Dutch and the French settlements in Bengal had ceased to count. More than that, Clive had by his second term as the governor of Bengal set up the scaffolding of an adminstrative system by insisting on many much needed reforms. The erst while traders had now became budd-

ing adminstrators. The army was reorganized, private trade disallowed, presents forbidden, and though the British were afraid of looking too closely into matters of adminstrative detail in Bengal, they were supervising the adminstration of the province under the Naib Diwans.

And Clive had played a very important part in this transformation. It was his daring plan of an attack on Arcot that had saved the place for Mohammad Ali and kept him true to British allegiance. It was his handling of the situation in Bengal after Saraj-ud-Daula's capture of Calcutta that gave the British a position of advantage there under Mir Jafar. He used it to exterminate the Dutch and French influence in Bengal, as well as in the South. Forde's success in the Northern Sircars had been inspired by him and he was indirectly responsible for Coote's victory at Wandiwash. It was his organizing genius that finally concluded treaties of peace with Shah Alam and Shujah-ud-Daula and established relations wtth the Nawab vizir of Oudh. His adminstrative reforms laid the foundations of the adminstrative machinery in British India.

He was truly the founder of the British Empire in India.

Yet all this was not achieved with clean hands. When the English civilians made common cause with the Bengal army, they were demonstrating their anger against Clive,——the recipient of a fat present from Mir Jafar, that had begot him a jagir, the renenue of of which he was yet enjoying——who was preaching honesty to them now and prohibiting gifts and presents. When they resented his prohibition of their private trade they remembered that he had himself indulged therein in his own days and that even now he had his hand in the salt monoply that was established. When his conduct came to be investigated the trick he played upon Amin chand's avarice was remembered. In all this he not only departed from sound principles but set an evil example. Yet when all was said and done, he had pulled the company through trying times, and put them on the road to acquire an Empire in India.

Kara and Allahabad:—In 1771, the emperor Shah Alam was taken under Marhatta protection. Warren Hastings at once stopped

the payment of the tribute from Bengal and took possession of the district of Kara and Allahabad which he sold to the Nawab Vizir of Oudh. Thus all pretence of powers derived from the emperor was put an end to and like Ali Verdi Khan before them, the British rulers of Bengal stopped the payment of their tribute to the emperor when they could do so with impunity.

The First Marhatta War:—Meanwhile, Bombay also began to play for the high stake of putting a nominee of their own on the Masnid of the Peshwas. The treaty of Surat guaranteed Salsete and Bassien to them if they would raise Raghoba to Peshwaship. This was countermanded by the treaty of Purandhar, by which the Bengal Council decided to give up the cause of the imposter and keep Salsete. The Directors, however, were now on the track of their good fortune, they ordered hostilities against the Marhatta confederation according to the terms of the first treaty. The war developed into a general struggle between the English and all the powers of the South, and Warren Hastings was glad when by the treaty of Salbai (1782)

he was granted the same terms as proposed to him in 1777 at Purandhar. The net result was the addition of Salsete to the British territory.

Raja Chet Singh and the Acquisition of Benares:—In 1781 came the culminating point in Hasting's excessive demands upon Chet Singh, Raja of Benares. Contrary to treaty rights, Hastings, for years had been demanding and receiving additional money from Chet Singh; he had accepted hush money from him and rewarded him for it by moving on to Benares himself. He committed the impudence of trying to arrest the unresisting Raja in his own capital which was followed by an insurrection. Hastings bravely put it down and virtually annexed Benares, reducing Chet Singh's successor to the position of a Jagirdar.

The Mysore War and the resulting annexations:—In 1768, the Nizam had promised to cede Gantur to the British at the death of the then governing ruler, who died shortly after. The district was not claimed till 1788, but Carnwallis made the claim. The Nizam undertook to cede Gantur if the British would help him in getting soe m districts, now in

the possession of Tipu, which they had undertaken to conquer for him. It was an awkward moment and Cornwallis tried a disingeneous method of keeping clear of his difficulties. He assured the Nizam practically that the British would help him in getting these districts from Tipu whom he refused to recognize as a British ally. This precipitated war with Tipu and was followed by Tipu's attack on Travancore, a state under British protection. The Third Mysore war followed. Cornwallis' indomitable will conquered the difficulties of the situation and in 1789 he was threatening Seringapatam. Tipu ceded half of his territories, which were equally divided between the Marhattas, the Nizam and the British, who kept for themselves the districts of Baramahal; Malabar and Coorg and the Northern portion of the modern Madura districts. Baramahal was attached to Madras, while the other districts were joined to the Bombay Presidency.

When Lord Wellesely came, he was obsessed with the idea of the then prevalent fear of the French. Some correspondence of Tipu with the Governor of Mauritious was magnified into French designs upon India

at the invitation of Tipu and the result was war in 1799. He succeeded in attaching the Nizam to his side by proposing to him a treaty of subsidiary alliance. The French Battalions at his Court were dismissed and the Nizam was brought over to the British side in 1798. The Peshwa was also offered the bait, but he refused to swallow it. Tipu died fighting in defence of his territories before Seringapatam. As the result of this success, Mysore was restored to its own Hindu Dynasty, while the conquests of Haider and Tipu were halved between the British and the Nizam. The Nizam surrendered his half to the British next year in payment of the subsidy. Thus the Presidencies of Madras and Bombay were connected by the districts thus ceded. Mysore was encircled on all sides, except the north, by the British.

Lord Wellesly and his annexations:—This was only a part of the scheme of annexation which Wellesly followed. The fall of Seringapatam resulted in the discovery of some harmless correspondence between the Nawab of Carnatic and Tipu and Wellesly took a high line at this "treasonable" conduct. Fortunately for him,

the old Nawab lay dying; the succession was offered to his son on the condition of practically pensioning him, and his refusal was followed by the nomination of a distant cousin as the Nawab of Carnatic with a pension. Thus the anarchy in the province was brought to an end. This almost completed the Presidency of Madras.

There was a feint Nawab of Surat and an effete Raja at Tanjore. Wellesly pensioned their successors when they so luckily died. Furukhabad in Oudh was also annexed and the Nawab pensioned off. In Tanjore, when Tulsiji died, his adopted son was turned aside and Amar Singh, his brother, was put on the throne and then dethroned in 1798. Bundelkhand followed soon after.

His next move was on Oudh. Here the Nawab had been paying his subsidy regularly, and whatever amount of anarchy and misrule existed in the province, the British were bound to respect his internal sovereignty. But Lord Wellesly was a strong man who never wasted much thought on treaties if they stood in his way. The subsidiary system had now been invented and though the Nawab was not in arrears

with his payment he was asked to cede half of his territories for the payment of the subsidiary troops. Under the original treaty of 1765, the Nawab had to pay for such troops as and when he wanted them. This had been interpreted and reinterpreted and the result was the stationing of a permanent force in his dominions. Lord Wellesly now wanted to go a step farther. The Nawab remonstrated, expressed his willingness to abdicate and when he was taken at his word, withdrew the abdication. The long and short of it was that he was compelled by force to cede away half of his territory, the modern province of Agra.

Lord Wellesly dreamt a glorious dream. By the treaty of Bassein he took advantage of the pitiable condition of the Peshwa, Baji Rao, to wring from him a subsidiary alliance which he had so long refused. Peshwa was the head of the Marhatta confederacy and Wellesly refused to see or to acknowledge that other Marhatta Chiefs would not allow him to surrender that position without fighting for it. However inevitable a duel with the Marhattas might have been, Wellesley needlessly provoked it without gaining many advantages from his new ally.

A war with the Marhattas, the Sindhia and Bhonsla followed. For once Lord Wellesly's good fortune seemed to forsake him and the news of some partial reverses frightened the directors and they recalled him. The war was ended by the treaties concluded by Sir George Barlow which practically resulted in putting the Peshwa under British protection as a prince in subsidiary alliance. Holkar and Sindhia were left to pursue their way uninterrupted.

Lord Wellesly's achievements :—Lord Wellesly has been credited with converting the British Empire *in* India into the British Empire *of* India and this summing, by Sidney Owen, of the great proconsulate is correct. When Wellessly came, there were four great powers in India and the British were only one of the four. There were the Marhattas disputing supremacy with the British, Tipu was there always ready to do an ill turn to the British and there was the Nizam sulking on account of Sir John Shore's treatment of him at the battle of Kurdla. Thus though the British possessed considerable territory in India, amounting almost to an empire, theirs was only one of the empires in that vast country. But when Lord Wellessly left,

Tipu was dead and Mysore was under British protection, the Nizam was an ally of the British, Peshwa had accepted the subsidiary alliance, though the final struggle with the Marhattas had yet to come. Besides, by his annexations, he had almost completed Madras Presidency, created the new Province. of Agra, made additions to the Bombay Presidency. The Emperor Shah Alam had in 1803 passed under English protection and they were thus the one great power in the country with unchallenged supermacy. This was an achievement worthy of a great name.

Lord Minto and Ranjit Singh:—In 1809 the fear of a Russo-French advance on India through the North West, obliged Minto to send an embassy, among others, to Maharaja Ranjit Singh of Lahore. Another reason was provided by the Cis-Satluj States seeking British protection. As a result of the negotiations that followed, British protectorate over these states was established and a treaty of friendship was concluded with Ranjit Singh.

The War with Nepal:—Some frontier disputes brought Nipal and the British Government in conflict in 1814. The first compaign

that followed was a failure and a wide spread conspiracy among the princes of India to drive out the British was the result. But this was soon retrieved by successes which came when the British had understood the nature of their enemy's country and their method of warfare. Khatmandu was threatened and at last a treaty with Nipal was made. This resulted in the ceding of the districts of Kamaon, Gharwal and Almora to the British territory and Nipal was acknowledged as an independent state in friendly relations with the British Government.

The Pindaris and the Third Marhatta War: —When the war with Nipal was being fought, as already mentioned, a conspiracy was set on foot by the Indian princes in which the Peshwa was one of the mover. The success of the war nipped the conspiracy in the bud, but Hastings soon found trouble for himself in another direction. The Piandaris were the scourage of central India and were organized as bands of marauders following the Marhatta army. In Lord Minto's time their expedition brought them to Orissa and even Lord Minto's patience was exhausted. But as they were attached to Marhatta armies, Lord Minto shrank

from applying extreme measures. In Lord Hasting's time, however, they grew bolder and attacked the British territory in the Northern Sirkers. With the concurrence of his council, Hastings decided upon chastizing them, and very shortly his despatch announcing the step, crossed that of the directors' enjoining the same course upon him.

He began his preparations in right earnest. He concluded a treaty with Sindhia detaching him from the Pindaris and binding him at the same time to help the British in putting them down, as also withdrawing his claim over the Rajput chiefs. But even then he knew that he might have to face the Marhattas at any time. With this knowledge he prepared two Cordons of troops, an inner ring which was to hem in the Pindaris, and an outer circle facing the territories of Bhonsla, of Holkar and of Sindhia. Thus full precautions were taken to prevent any attack upon the English forces.

The pursuit of the Pindaries was progressing fast (November 1817) when the Marhatta camp showed signs of unrest. There had already been trouble at Poona, where a more stringent

treaty was imposed upon the Peshwa early in the year. Apa Sahib of Nagpur was now also restive. The refusal of the resident to be present at his investiture, where he was to receive in state the Khiliat sent by the Peshwa led to trouble. On the other hand, the Peshwa had been collecting troops for some time and now when Elphinstone, the resident, moved British troops to the Kirkee, Peshwa demanded an explanation. The result was an open war. Apa Sahib rose in his own place. Soon Sindhia and Holkar also joined. Thus the hunt of the Pindaris merged into the third Marhatta war. The foresight of the Governor General made the result a foregone conclusion. The Peshwa was defeated at Kirkee and became a fugitive, finally surrendering himself to Malcolm. Apa Sahib was defeated at Sitabaldi, Amir Khan also met the same fate and accepted terms. Holkar's power soon collapsed and Malcolm imposed a treaty on him on January 6, 1818. The Pindari Chiefs also surrendered in the same month. Bhonsla after many turns of fortune reached the Punjab where Ranjit Singh refused to help him and he died almost a prisoner in Rajputana. The net result of the war was that the Peshwa's territories

except the district of Satara, were annexed to complete Bombay Presidency. Apa Sihib was a prisoner, but a new minor Raja was set up at Nagpur, the State being governed by the resident during his minority. Holkar gave up his claims on Rajputana chiefs and accepted a subsidiary treaty. The new treaty with Sindhia allowed the British to establish a protectorate over the Rajputs. All the territory on the other side of the Chambul claimed by Sindhia and Holkar was brought under British protection. Thus the Marhatta confederacy was shattered. Gaikwar was already an ally, Holkar accepted the alliance now and the British nominated their own minister. Bhonsla territories were being governed under direct British supervision, Sindhia alone was left in the position of an independent ally as he had not moved an inch; Peshawa's territories formed the bulk of Bombay presidency; Rajput states were one after another taken under British protection and almost the last shot for British supermacy in India had been fired. It was as brilliant an achievement as any so far recorded in the history of British India.

In the subsequent settlement of central India and Rajputana, the British acquired some small

fragments of territory, Marwara among them, where Hall was to display his aptitude for prohibiting human sacrifices and for civilizing the Bhils.

Lord Amherst and Burma:—Relations with the king of Burma had not been very pleasant for some time and the Burmese attack on the Assam frontier and some trouble about the island of Shahpur brought the two powers face to face. The earlier part of the compaign was conspicuous for British failure and for the valour displayed by Maha Bundela; but the Barmese were defeated after all, and the result was the annexation of Assam, Arakan and Tennasaram.

Lord William Bentinck and Coorg:—Lord William Bentinck has the reputation of being a pacific man, but penetration into Sindh was attempted in his days. Substantial gains of territories were Coorg, which was annexed on the wish of the inhabitants, and Kachher, where the misrule of the Raja brought about the annexation of his territories.

Lord Ellenborough and the Annexation of Sindh:—The War with Afghanistan did not bring any substantial gains to the British. But

it helped them in their designs upon Sindh. Relations with that country had begun in 1809 when a friendly treaty was concluded. Just before the Afghan war the position was that the British were not entitled to move military stores up the Indus but could use it for purposes of commerce. But Ranjit Singh would not allow the British a passage through the Punjab and they moved their troops through Sindh. During the Afghan War, Sindh was under British military occupation and despite all the rumours of defeats and disasters the Amirs kept cool. When the war was over, one of the Amirs who had his grudge against his other colleagues brought tales to the British authorities that some of them had been conspiring against the British. Without waiting for substantiation of these charges, Ellenborough drew up a treaty which was to be signed by the Amirs only if the charge was proved to be true. This was a blunder. Sir Charles Napier who was sent to Sindh to investigate charges interpreted his instructions as assuming the guilt of the Amirs. He wanted to force a treaty down their throats. The Amirs would not give up the right of coining money, their last vestige of independence.

Napier acted as if the treaty had been signed, and without any declaration of war he attacked the fort of Dev Garh and razed it to the ground. Outram persuaded the Amirs to sign the treaty. They did so under protest, but warned him of his danger. Soon the residency was attacked and within a very short time Napier had defeated them in a brilliantly fought battle at Miani. Sindh was annexed, but as Napier put it, it was a piece of rascality. It is impossible to match this episode in the history of British expansion for its wanton aggression, its disregard of treaty rights, and its determination to terminate the existence of an independent state in alliance with the British.

Ellenborough and Gwalior :—In Gwalior, Ellenborough's action was less objectionable. In 1818 that state had been left as an independent ally, more or less acknowledging British sovereignty. But about this time a minor was on the throne, the Maharani regent was of course favourable to British interests. But thirty thousand troops which Gwalior possessed threatened the peace of the neighbourhood, and there were signs that they might try to fraternize with the Sikhs in the Punjab. The Governor

General sent an army to Gwalior when the state army accepted the challenge, but was defeated. This reduced Gwalior to the status of a subsidiary ally; its army was limited and reduced.

The First Sikh War and annexation of Jullundur, Doab and Hazara:—Lord Hardinge was a veteran of the Peninsular war and he was given work enough to keep him warm. The first Sikh War—which we study elsewhere-resulted in the annexation of the Jullundur Doab and the district of Hazara, while Kashmir was sold to Gulab Singh. The Sikh territories on the east of the Satluj were also incorporated in British territory and the frontier of the empire advanced to the Bias.

Lord Dalhousie and the annexation of the Punjab:—For causes detailed elsewhere, this arrangement did not last long. The revolt of Mulraj was followed by a general rising all over the Punjab, with the result that the Sikhs were defeated. They paid the penalty by their loss of the whole of the Punjab which was now annexed to the British dominions.

Annexations of Lord Dalhousie:—Lord Dalhousie annexed a large part of the country. Another annexation born of a victorious war was

that of Lower Burma, which was annexed after the war which had broken out for the purpose of maintaining the monopoly of a European Corporation in that country in 1851-52. Part of Sikim was also annexed as a sequel to a war.

But sword was not the only means of augmenting British territory. He was deliberately of opinion that the resulting benefits of British rule made it imperative for the British Government not to let slip any chance of conferring this benefit on any group of people. For this purpose he saw a very convenient weapon ready to his hand in the doctrine of lapse, which the directors had sometimes before annunciated. It meant that when a Raja died without an heir, it was open to the British Government to recognize or not to recognize an adopted heir. In the case of non-recognition of an heir, the state would devolve upon the British government as the sovereign power. For himself he was ready to utilize every opportunity of annexation and for this purpose not to recognize any adoption made without the formal sanction of the British. Fortunately or unfortunately for him, many of the Indian Rajas died

at this time without heirs, though in most cases there were adopted sons or arrangements for adopting-heirs were made. Lord Dalhousie began to veto most of these adoptions and to declare that these states had lapsed to the British government in default of an heir. Of course, he adopted a distinction between states, but this did not work very well. By applying the doctrine of lapse he annexed Satara, Nagpur, Jhansi, Udaipur (in Central India). It was sowing the seeds of trouble which was to be reaped by his successors. Kachar was also annexed in 1852 on the death of the Raja.

Annexation of Berar :—The subsidy which the Nizam had still to pay had fallen in arrears. There seemed to the Governor General no chance of his ever being able to pay the money regularly and, therefore, negotiations were opened up with him for the lease of the districts of Berar for the payment of the subsidy. The arrangements then entered into were revised by Lord Curzon in 1902 when he got a permanent lease of Berar from the then ruling Nizam. It is this claim which was a subject of correspondence between the Government of the Nizam and the British Government some

years ago; but the British did not restore the districts to the Nizam after the lapse of such a long time and the people of Berar were found none too willing to become subjects of the Nizam, a fate which some of them dreaded.

Annexation of Oudh:—The last important annexation effected was that of Oudh. Here after the treaty which Wellesly had wrung from the Nawab, the rulers had been jogging along comfortably enough. In the times of War with Nipal, Oudh advanced a large sum as a loan, and as a result its ruler was allowed to take the title of King, Badshah. While it elevated him, it was a challenge to the emperor at Delhi who meekly let it pass. Soon after, tales of misrule began to pour thick into too credulous British ears, though as Keen points out, the chairman of the board of directors at home believed that the mismanagement was due to the interference of British authorities. Anyhow, the death of Vizir Ali in 1837 was used by Ellenborough for wringing another treaty from the new Nawab Mohammad Ali, giving the resident the right of interference in internal administration and held out the threat that if this was not allowed, it might lead to the *administration* of

the state passing into British hands. The treaty was too drastic for home consumption and it was disallowed, though Ellenborough did not communicate the fact to the ruler. Subsequent Governors General and rulers of the state thought it was still binding.

Then came Dalhousie. Again some tales of mismanagement were repeated. They were no doubt true, but 'why Oudh was so much more hopeless than other native states, or what special circumstances made it more impossible to allow revelry and negligence at Lucknow than at the Courts of Haidrabad and Indore were questions that were not asked and might have been hard to answer.' Any how, Sleeman and Outram were commissioned to inquire into the state of things and when they agreed that it was impossible to allow this mal-administration to go on, Lord Dalhousie decided upon annexation But the worst fate, which, according to the treaty of 1837, could befall the ruler was that he should be divested of all responsibility and that the resident should, according to the precedent created by Bentinck in the case of Mysore, govern through native agency. Dalhousie curtly told the Nawab that the treaty was no longer in

force and that, therefore, he was free to deal with him as he liked. As the treaty of 1837 had been disallowed as being too stringent, and common sense demanded that some milder action should be taken. But Dalhousie and the directors agreed and it was resolved to annex Oudh, 'an offence to good faith, to public conscience and to fortune, which frowns upon the impudence of men.' Oudh had been the earliest and the most faithful ally of the British and was now rewarded with extinction. If it aroused suspicions of the British conduct, it was but natural.

Lord Dalhousie thus fixed the future boundaries of British India, by bringing the frontiers into contact with Upper Burma, with the Chinese Empire and with Russian Turkistan.' His reign is said to have 'consummated a policy and closed a period.' The policy that was brought to its highest perfection was that of annexation. We have seen how a large part of India was, from one cause or another, annexed and made to form a part of British India. In no other Governor General's reign, much less in that of a Viceroy,—were so many and so varied annexations made. The period that his reign

closed was that of the development of British territories in India. So far the British seemed to be bent upon taking new responsibilities upon their shoulders. Almost every Governor General, whether annexationist or no, made some additions to the already too large territories. It is true, the government at home had not been looking with favour on this spectacle, and as late as 1819 had been perturbed by the large annexations which Lord Hastings had effected. But irrespective of their remonstrances, the development of British territories was growing apace. But then came the mutiny and it was proved, much to the chargin of the annexationist school, that the native states served as break waters. The mistake of absorbing any larger part of India was recognized probably because enough had been done and sometimes one can have too much even of a good thing. The Proclamation of the Queen therefore declared that the British government coveted no man's territories and was willing to forbear in future from extending its own. Actually there were only some minor additions to the British Indian territory and those only on the frontiers.

Lord Dalhousie has been called the founder of Modern India,—India as we know it to-day.

Many features of Modern Indian political life are traceable to his times. Te begin with, the frontiers of India were almost finally fixed by him. The later acquisition include only Upper Burma, and Balochistan, whereas Mysore was given back to the reigning family. The frontier policy, as well, was given directions which it has followed ever since. Herbert Edward's treaty of 1855 with Dost Mohd Khan laid the foundation of those friendly relations with the Amir of Kabul which were the savings of the British government in India during the mutiny and which went uninterrupted till Lord Lytton plunged the country foolishly into the second Afghan War. Since 1919, however, Afghanistan has become independent and shaken off that tutelage which was once the dominant feature of Afghan policy. The Maharaja of Nepal visited England and treaties that were drawn up with him cemented friendly relations.

The Khan of Kolat was given a subsidy, thus beginning a new policy in that part of our frontiers.

In educational matters, Wood's Despatch of 1854 laid, as we have seen, in an another chapter, the foundation of a policy which is still

being followed. The provision of Model secondary schools and colleges, the financing of our primary education by the state, the system of grants-in-aid and of state inspection, all go back to Lord Dalhousie's days. Of course new orientation sof policy came from time to time, yet in the main it remains the same.

In another field Lord Dalhousie's regime saw the beginnings of a new policy. Scientific exploration of the country's resources was not possible till accurate knowledge was available about them. This was made possible by the different surveys that were undertaken under his guidance and inspiration to map out the resources of the country.

Industrialisation of the country also advanced apace under his Governor Generalship. Means of communication were improved. Railways were opened for the first time, telegraph lines were laid, cheaper postage was introduced, the Ganges canal was opened for riverine traffic. The Hindustan Tibbet Road was opened. To look after all these new concerns an Engineering College was opened at Roorki, whereas public works department was also established.

Many new industries were also founded. Tea and cofee, for which India is now famous, were first introduced. European planters in Assam and on the Western Ghats acted as pioneers in connection with these concerns.

In matters administrative, the patronage of the East India Company for Indian posts was terminated and a competition examination to recruit the Indian Civil Servants was introduced. The Charter Act of 1853 foreshadowed the transfer of the company's sovereignty into parliamentary hands, whereas the assemblage of provincial representatives in the Governor General's council for making the laws presaged that federal organisation of the country which is only just now coming to be realized. Further, the superstructure of parliamentary institutions in the country was laid by making public the debates and the proceedings of the council and making bye-laws for regulating its proceedings. Furthermore, the executive work of the council was better organised by assigning to each member a definite department of administration.

Dalhousie's attitude towards Indian beliefs and usuages was, however, more militant than

we find it to-day. No doubt, by allowing widow remarriages, by drafting bills to abolish polygamy, by allowing converts to christianity their share in the joint family property, he invaded that part of Hindu beliefs that was held sacred by his predecessors. His successors had to give up his militant attitude, but the invasion, in the interests of justice and humanity, of the ancient customs and beliefs of the people that he initiated, grew apace and is even now the inspiring principle in such social legislation as the government indulges in.

It has been said, however, that most of these things happened to occur in Lord Dalhousie's days, that Wood's Despatch was Thomson's Circular writ large, that projects for railways and telegraphs were already under consideration, that the Charter Act of 1853 owed nothing to him. However for all that the must give him the credit for seeing these things through.

What part Lord Dalhousie's administration played in bringing about the mutiny we have discussed elsewhere.

Lord Lawrence and Bhutan :—The first considerable addition came in the times of Lord

Lawrence. Bhutan is a primitive frontier state bordering upon Assam and Sikam. Just as in the case of Nipal, there were some frontier disputes particularly as regards grazing rights. These disputes led to a war which was followed by the annexation of the plains to British territories, the Bhutanese government being allowed a subsidy for its sustenance.

Lord Dufferin and the Third Burma War:—Burma had twice been mulcted already, consequent upon certain trivial disputes. But its government did not know how to safeguard itself from its civilized neighbours, and consequently its relations with India had always been strained. As in the case of the Second Burma War, commercial relations again embroiled the two governments. In 1869, the British resident had been withdrawn, Lord Ripon visited the country himself for bettering the position of the European traders there. This was useless. Monopolies of certain English companies were cancelled, proceedings were taken against an English company and concessions were granted to certain continental firms. The real cause of quarrel was the fact that the King of Burma concluded in 1884 a treaty with the French government

which turned Burma almost into a French colony. By chance the fact leaked out and the government of India, under the fear of being outwitted by France, took action, which was meant to precipitate war. Dufferin now demanded that a resident should be stationed in Burma. Way to China was to be opened, certain trade rights were to be granted, while the control of foreign policy was also to be handed over to the British. The result was war, with its consequent annexation. Though the regular government came to an end, bands of Burmese youngmen harassed the new government for two more years by their attacks. As Roberts argues the invasion and much more the annexation was hardly justified from the point of view of abstract justice.

Lord Curzon and Tibet :—Tibet is a small state on our frontier with which hostilities had not begun yet. It was a part of the Chinese empire and in 1885-1886 and 1890 conventions with that power had settled some of our difficulties. About this time a Russian got into Tibet and became an adviser to the ruling Lama. The British smelled the Russian bogey when some religious missions sent in 1899-1900, 1901 were

received by the Czar. Soon it was rumoured that schemes were set on foot to exchange Russian protection for Chinese control and Lord Curzon insisted on sending a political mission against the advice of the home government. He modified his proposals and decided upon sending a commercial mission. Accordingly, the Younghusband mission was despatched. It reached the frontier Town Khamba Jung where on technical grounds the conference between the Tibetan and the British representatives broke up. An advance was ordered, Russia protested, the British assured the Russians that no occupation was intended. At last Lhassa was taken and treaty was concluded stipulating for the British occupation of the Chumba Valley for 75 years. Younghusband had exceeded his instructions, and the treaty had to be modified, though Curzon defended him. The expedition has been characterised as unjust by Dr. Smith and unjust and cruel by Romesh Chunder Dutt. But there is a section which holds that by this persistence Lord Curzon crushed a thinly veiled design of Russia. Leaving writers on high politics to discuss the expediency of the measure, we cannot but hold that it was a flagrant violation of an inoffensive neighbour.

Besides this interference in Tibbet, Lord Curzon was responsible for another imperialistic undertaking. The Persian gulf had long been under British domination and had enabled them to perform a good deal of their work in peace, but this had no foundation in law, and this left them open to attacks by powers when they thought they had to pay back the British in their own coin for troubles engineered elsewhere. Just now a therefold attack on the British position in the gulf was being attempted. The Sultan of Turkey was trying to exchange his almost dead sovereignty over certain Arab chiefs into an article of faith and of actual practice. The Germans were busy in their projects of the Bughdad railway, whereas France chose to touch the British in their tenderest spot by trying to establish a coaling station in Muscat. The independence of the Sultan of Oman, in whose territory the place lay, had been guaranteed by the French and the British alike by a treaty in 1862. But England had been sapping this independence in practice and successive Sultans had learnt to lean on British support.

In 1891 the Sultan agreed not to cede any part of his territories without British consent. In 1894, France established a consulate here. The French representative could not but view with disfavour this unwarranted British assumption of a protectorate over the Sultan and began to draw him away from his friendship towards the British. The Sultan saw a chance for himself in this Anglo French rivalry and seemed to listen favourably to French projects for helping him and incidently themselves. At last in 1898 came the announcement that France had secured Jissah, a coaling station, which could be fortified in course of time. Some other questions were pressing for settlement with the Sultan. Lord Curzon sent the political resident demanding adjustment of the current problems, as well as the revocation of Jissah. On his heels came the admiral of the East India Squadron with an ultimatum. The Sultan at last opened negotiations and accepted the British demands. The French were placated by assignment to them of a small coaling station at Mascat. But soon another cause of trouble arose between the French and Sultan as represented by the

British. The French claimed exemption from the jurisdiction of the Sultan. As they had allowed the right to fly the French flag to a large number of tribesmen, this dislocated business. The matter was, on British insistence, referred to the Hague tribunal which decided in favour of the British in 1904.

Meanwhile, another trouble arose in Bunder Abbas in Persia A Rnssian gunboat the Giljok, arrival here in 1900 and ordered 300 tons of coal. She could not store them and asked for permission to land a part of the superfluous coal. Meanwhile, a British ship had arrived, the Persian authorities smelled a rat and refused permission. Thus no coaling station could be established in Bunder Abbas. But Russia made good this defect by establishing Russian consuls at Basra, Abbas and Bushire and later on by establishing a company to direct Russian trade to the gulf.

Germany had its own innings, though it did not score much. The British government had taken Sheikh Mubarak of Koweit under their own protection in 1899 precluding him from granting any territory to any other without British consent. In 1900, a German mission

asked for a concession for a terminus to the Baghdad Railway on the gulf. This was flatly refused under British instructions. Thereupon the Turkish government advanced their claim over Koweit. The Khan 'had a foot in each camp.' In 1901 the Turkish government took advantage of some difficulties of Mubarak, the Khan of Kowiet, and sent a ship packed with troops to take possession of the town. Lord Curzon had learnt of the project and the British officers in the harbour sent back the Turkish Commander in 'hot haste.' Again a Turkish official brought peremptory orders from the Sultan, but he was also sent back by the interference of the British Commander. The Turkish government, however, succeeded at last in occupying certain parts of Arab territories claimed by the Khan, and despite the protests of the Viceroy, the home government did not move much in the matter. These insidious attacks on a position open to grave doubts were brought to an end in 1903, when the British government declared that happen what might, they had the gulf under their protection. The fact was further emphasized to by Lord Curzon who toured the Persian and the Arabian waters

in 1908. The British had emerged triumphant under strikingly difficult conditions and Lord Curzon's imperialism had again gained ground.

Besides this Lord Curzon commenced a new frontier policy. The Forward school had its apostles and as we discuss elsewhere was just now in the ascendence. Lord Curzon struck a middle path. He separated the the North Western Frontier Province from the Punjab. This he was compelled to do as he found the Punjab government ill equipped to discharge the task that lay before it. The older system of dual control from Lahore and Calcutta was defective and was given now given up. Further he refused to employ regular troops in the tribal territory. He employed tribal levies instead, who were paid subsidies if they were 'go d boys.' His system remained in vogue till 1914.

He plunged headlong into a reforming programme with a zeal which no predecessor of his had displayed and a power of reorganizing hardly ever equalled. His favourite method was an inquiry followed by a reorganization. The effects of his educational policy we discuss elsewhere. His financial settlement and famine

policy appear in another section. His police inquiry was followed by a reorganization of the department with a view to attract better type of recruits to the force and make chances of corruptions less. The co-operative credit inquiry under Sir Edward Maclagan was followed by a movement to establish a large number of co-operative credit societies to help the agriculturists. They were to be further benefitted by the appointment of an Inspector-General of agriculture and establishment of an imperial department for that purpose. A research institute was established at Pussa to work out agricultural problems. A measure of more doubtful utility was the Punjab Land Alienation Act of 1900. It created artificial restrictions on the sale of the lands of the agriculturists to non agriculturists in the settlement of their debt. Its effects are still open to question and are being still actively convassed for. More objectionable was the statutory division of the people into agriculturists and non-agriculturists based on caste and religion rather than profession. A commerce department was set up to look after the commercial needs of the country. An inquiry into the irrigation possibilities of the country was followed by a

comprehensive programme for twenty years to follow. The Imperial Cadet Corps was organised and made an effective force. A Mines Act and an Assam Labour Act, followed, giving to labour some protection. The railways were placed on a better footing and were to be treated as commercial assets rather than political burdens. A Railway Board was created following upon the recommendations of a Railway Commission, and a consistent programme of expansion was to be undertaken involving Rs. 15 crores a year. The recommendations of the Currency Commission were also given effect to establishing a 16*d* Rupee and the Gold Exchange standard. He levied counter vailing duties upon bounty fed sugar from Germany. The Calcutta Municipal Act was another measure wherein his craze for efficiency plunged him into a popular controversy. The Officials Secrets Act damaged his position still further.

And then came the Partition of Bengal. His partition of the districts wounded Indian feelings, as it was carried through secretly. Further, his arrangements split the Hindus of Bengal into two parts, in Eastern Bengal they

were outnumbered by the Muslims, in Bengal itself by non Bengalis. This was supposed to carry an insidious meaning by a division of the vocal section of the people. The justice of the repeal agitation was recognized in 1912 when the present organization of the provinces took place. Lord Curzon also appointed a director general of Archaeology and passed an Ancient Monuments Protection Act taking under the protection of the government old historical buildings. He was further responsible for issuing a comprehensive resolution on Land Revenue Settlement, called by a trenchent criticism of the government policy, by a Memorandum of ex-civil servants. Lord Curzon was further responsible for enforcing justice between Europeans and Indians even at a great cost to himself.

He was a great ruler according to his lights. But unfortunately for him and us Indians, these were defective. He was a worshipper of efficiency and this false god made him commit many a blunder. Mere efficiency cannot long be an ideal, nor can it satisfy people. As Mr. Montague pointed out in the Mesopotamia Debate in 1917, he was like a motor driver who spent all his energies and time in polishing up

different parts of his machinery but who drove it not because he never knew where to drive to. Like Dalhousie he sowed the wind, and left it to his successors to reap the whirlwind. He had no far off vision to cheer him or his spectators, and great as an administrator, he must be admitted a failure as a statesman. He failed to cope with the rising tide of Indian nationalism and that is enough to condemn him.

THE DEVELOPMENT OF THE INDIAN CONSTITUTION.

Four periods of constitutional development and their general character, the first period of commercial activities till 1765. The Regulating Act, its provisions, difficulties in its administration, the Declaratory Act of 1781, the foundations of Modern Indian Constitution: Pitt's India Act of 1784, Char-Acts of 1793 and 1813. The Charter Act of 1833 and centralization of legislative functions, Charter Act of 1858, the uncertain tenure of company's power, transferrence of the Government to the Crown, the resulting changes, lesser parliamentary interest in Indian affairs, Queen's Proclamation, its three cardinal principles. The Indian Councils Act of 1861 and decentralization of legislative functions, demand for liberalising the constitution of the Legislative Councils and widening their functions, Lord Dufferin's Committee, the Indian Councils Act of 1892, further demand for reforms, factors making for political awakening in India, Morley's appointment as the Secretary of State, Morley-Minto reforms, final outcome of a benevolent despotism, communal representation, defects of the measure and its shortcomings, the Great European War and Indian aspirations, Sinha's demand for a

declaration of the goal of British Government in India. Mr. Gokhale's suggestions, Memorandum of the Nineteen, the Congress League Scheme, Announcement of August 20, 1917, the goal of His Majesty's Government in India, Montague-Chelmford Report, four principles of political advance, proposals for constitutional progress, the Government of India Act and consequent changes in the Government, direct election, legislature overwhelmingly elective, fiscal autonomy, increase in the number of Indians, division of functions between the Central Government and the provinces, financial devolution, India's admission into the League, Dyarchy, its origin, its fundamental character, division of provincial subjects as transferred and reserved, executive councillors and ministers, the directly elected legislatures and their powers, the success of the experiment, suggestions for reforms. Relations between Provincial Governments and Central Government, Secretary of State Simon Commission.

The Constitutional History of India can be divided into four periods. The first, from 1601 to 1765, is the trading period of the British in India. The period is marked by the grant of Charters till 1693 by the Crown, and after that by the Parliament. It was during this period that the old and the new companies played out

their parts, and the English proved successful against their French rivals in India. The second period of territorial sovereignty under the East India Company begins with the grant of Diwani in 1765 and continues to 1857, when the Government was assumed directly by the Crown. This period is marked by the increasing control of Parliament over the Company exercised through the Acts passed every twenty years. The Company divested itself of its trading functions and throughout this period a double origin of the Indian constitution is apparent. Some parts of the machinery of the government represent powers and functions derived from the Mughal Emperors; while others were imported over the seas from England. The third period begins with the assumption of Indian Government by the crown in 1857. During this period representative institutions were set up in India. A local machinery of administration was devised and the interference of Parliament decreased as the years went by. The period came to an end in August 1917, when the policy of His Majesty's Government in India was declared to be gradual realization of responsible Government in India. From 1917 begins the modern period of our con-

stitution. The announcement of the 20th August, 1917, laid down the gradual realization of responsible government in India as the goal of His Majesty's government. The declaration was followed by a thorough investigation into the problem, and the first step towards the realization of the declared goal was taken by the Government of India Act of 1919. It is difficult to forsee the future accurately, but it is impossible that the goal might be reached in a decade or two ? Is this conclusion justifiable ?

THE FIRST PERIOD 1600—1765.

The East India Company began as a body of merchants trading with the East. The original Charter of Elizebath gave these businessmen leave to set up their commercial law within their own factories, a privilege which was withdrawn by William III. At first when the Company was a mere trading association, we can well imagine that it should not exercise any but the merely business powers. An Act of 1721, in fact, introduced English law of the day in Bengal—a fact and a date which had important bearings on the case against Maharaja Nand Kumar. In 1726, George II granted a new Charter Act, under which more extensive powers for the good government and regulation of different corporations under them were conferred upon the presidents and the committees of the three presidencies. We do not know definitely how far the powers conferred under this Act were utilised. Anyhow, the growing anarchy in the country turned the factories into fortified towns; and in order to keep order in them, some sorts of regulations must have been promulgated. The rivalry of the French and the English brought with it the

three wars in the Deccan, and the events in Bengal at last landed the Company into the work of administration. Its institutions were, however, ill fitted to perform that work, and the result was the anarchy and chaos of the years 1756—1764.

It is a mistake to suppose that the the battle of Plassey was intended to transform the Company into a territorial power. The British had no clear intentions and were not very definite about their status between the year 1756—1764. This resulted in the battle of Buxar, when the Company had to declare definitely its assumption of power, necessitated by the victory at Baxar, and facilitated by the grant of Dewani from the Emperor. The purely trading period was thus brought to an end and the Company had to reorganise its institution to suit the altered circumstances.

REGULATING ACT 1773.

When the Mughal Emperor conferred the Diwani of Bengal, Behar, and Orissa upon the East India Company, an idea was spread up in England that the Company had come in possession of untold sources of wealth. The retired British officials, with their pompous style of living in England, increased the same impression. The result was that a dividend of $12\frac{1}{2}\%$ was exacted by the shareholders of the Company, and in 1767, the Company had to pay an annual sum of £ 40,00,000 to the Government in England. The famine of 1770, coupled with these two demands, produced bankruptcy in the affairs of the Company. The expenses in India were great, and the Dewani did not seem to be such a golden source of profit as it had been deemed. The result was that the Company had to ask the ministry of the day for financial assistance. This produced an exhaustive inquiry into the affairs of the Company in India, and the result was the famous report of 1773, whereby a first attempt was made to adopt the trading system of the company to the varying needs of an institution which had got territorial rights in India. The Regulating Act thus became the

foundation stone of the Indian constitution in its various aspects.

Home Government:—In the Court of proprietors, in order to make an end of the corruption of the day, it was decided that the shareholders, who held shares of the value of £ 1,000 for the last twelve months, could alone vote. The directors were elected for four years, while one-fourth of them were to retire annually. The most important provision, however, connected the company with the Ministry of the day. They had to submit all their despatches to either the treasury or a Secretary of State, and might receive any orders thereon. Thus the administration in India was brought under the supervision of the ministry of the day.

Executive Government in India:—A Governor-General with four councillors was set up in Bengal. The term of office was to be five years, and the majority was to prevail. The Governor-General in Council was to be superior to the Presidents and councils of Madras and Bombay. The two sister presidencies were to inform the Governors of Bengal about all matters connected with peace and war in their territories, and were to obey the intructions

which the Governor-General in council might be pleased to send them thereon. The control, however, was negative; much of its value was taken away by authorizing Bombay and Madras to take independent action in case of emergency and of receipt of orders from Home. The Governor-in-Council was to keep the Directors at Home informed about the development of Indian affairs and obey their instructions.

The executive power, which was entrusted to the Governor-General-in-Council was not well defined..........it being laid down that they were to exercise power as it was being exercised by different existing bodies.

Legislative Power:—The Governor General in Council was authorized to make rules and regulations for the peace and order of the British territories in India. These orders were not to go against English laws. They were to ba registered in the Supreme Court, which was to see that any of these provisions did not go against the English law of the day. The King could disallow any of these laws, rules and regulations within two years. The Presidents of Bombay and Madras were to keep Bengal informed of all the rules and regulations, which they might make.

Judicial:—A supreme Court with a Chief Justice and three Judges was established. Its Jurisdiction was to extend over all Bengal, Bihar, and Orrisa, except that it could not hear any case by a British subject against an Indian. It could try all sorts of cases by means of a jury and an appeal from its decisions lay to the King in Council.

Difficulties Produced by the act :—These were caused on account of many ambiguities of which that Act was so full. An attempt was also made to evade a decision on important matters of constitutional law. It was not made clear, for example, what was the source of power, and the limit thereof, which the Governor-General in Council was to exercise. It was not as yet claimed, as it should have been, that the legal source of British power in India was derived from Parliamentary Acts. Thirdly, the English had no experience of adopting English institutions to the countries of Non-European origin. An idea was prevalent at the time, that the institutions which were beneficial in one country at a certain time would prove of benefit to all countries and in all times. The real difficulties were :—

(*i*) The Governor-General in Council was entrusted with Supreme administrative and military power. The supreme Court was also entrusted with highest judicial powers. It was not clear which of the two was to be really supreme.

(*ii*) The Court was set up mainly in order to control the servants of the Company and to prevent their oppressing Indians. It was left an open question how far this was to extend without destroying the authority of the Executive in India.

(*iii*) Many questions were left undecided. What law was the Supreme Court to apply? Upon whom its jurisdiction was to extend? Who were the servants of the Company? All these questions were left unanswered.

(*iv*) It has been claimed that the Act was faulty in not entrusting the Governor-General with the power of over-riding the majority of his council. This power would not have been entrusted at the time to any one individual. The real difficulty of Warren Hastings was not that he could not over-ride his colleagues, but that from the very beginning a majority of them became suspicious of his conduct and opposed his schemes.

(*v*) No presidency was given clear and definite powers of supervision over sister presidencies. The Court of directors could not exercise effective control and the absence of any supreme authority in India was to lead to troubles.

The Act of 1781 :—Most of these defects were removed and many of these ambiguities were cleared by the Declaratory Act of 1781, purposely designed to make things more clear. It was the result of the quarrel between the Council and the Court, which was developing seriously. The Act decided that:

(*i*) The Supreme Court was to have no authority against the Governor-General in Council, except when his action affected European British subjects.

(*ii*) It was to have no jurisdiction to try revenue cases.

(*iii*) As far as the question of law was concerned, it decided that the law of the defendant was to be applied.

(*iv*) No action lay against judicial officers for their judicial decisions.

(*v*) The Act gave the Governor-General in Council power to make regulations for Pro-

vincial Courts and Councils. This superseded the provisions of the Regulating Act, concerning Legislative power The law of British India till 1833 consisted of regulations made under the power conferred by the Act.

As thus amended, the Regulating Act became the foundation stone of the administrative edifice in British India. So far, the constitution of the various bodies under the company had been mainly framed with a view to serve the commercial needs of the Company. The Regulating Act was the first acknowledgment of the acquisition of territorial power in India, and as such it made the first attempt to transform British traders into administrators of the country. It contained the germs of parliamentary control of Indian administration, which were to develope later on into assumption of the government by the Crown. Its importance thus lies in the beginnings that it made and the suggestions that it contained for the future development of the administrative machinery.

PITT'S INDIA ACT 1784.

After the Regulating Act, affairs in India had been receiving a larger amount of attention than before. In 1781 a Committee of the House of Commons made an inquiry into the affairs of India, and on the report of that Committee, the House adopted a resolution recalling Sir Elijah Impey and Warren Hastings. Dundas, while in opposition, introduced a bill for the better government of India, but did not succeed in the affair. Fox, as a member of the Cabinet of the Marquis of Buckingham, officially introduced a bill on Indian affairs. This proposed radical changes in the Government of India. Its fundamental principle was to bring the administration of India under the nation through the agency of a department of the Government. It was passed by the House of Commons, but in the House of Lords, on account of the personal intervention of the King, it was defeated. In the House of Commons, Pitt had attacked the measure, as it meant the accumulation of more patronage in the hands of the ministers, and also because it intended to put an end to the governmental functions of the Board of Directors. He had promised a more satisfactory Bill of

his own, if he should ever be in power. When he became the Prime Minister, he had to fulfil that promise and he introduced a bill of his own for the Government of India. The fundamental principle of Pitt's India Act was almost the same as that of Fox's Bill. But Pitt concealed his designs and thus succeeded in giving a different look to the measure.

It established a Board of Control of six Privy Councillors, but as a matter of practice, the Chancellor and the Secretary of state did not attend, and real membership was confined to four members. They were paid by the already existing sinecures. They could be members of Parliament, though they had not to seek re-election on their appointments as members of the Board. The Board of control was given comprehensive powers of supervision over, and control of, Indian administration. All the despatches from India were to be submitted to them and they had the right of modifing any instructions sent by the Directors to India. They had the right calling for old files, and thus were able to review the past administration. A secret committee of three Directors was appointed, and this was to take the place of

the Court of Directors in political and Military affairs. The Directors were confirmed in their right of nominating persons to different offices in India and were to enjoy the right of revising and reviewing the acts of Indian administration. The proprietors were deprived of their right of over-riding the decision of the Court of Directors. The Governor-General in Council was not allowed to interfere in the affairs of Indian princes without the sanction of the Court of Directors, and, to match that, his control over minor presidencies was now made comprehensive and definite. This limitation of the powers of the Governor General in Council in matters of peace and war laid the foundation of the non-intervention policy. The councils of the Governor General and the Governors were to consist of three members, one of them being the local Commander-in-Chief. It was also declared that official offenders would not be pardoned, if convicted of any offence.

Pitt's India Act laid the foundation of the system that remained in force without many modifications, till the year 1858. Hence-forward the responsibility for the administration in India was equally divided between the Court of

Directors, their Secret Committee and the ministry of the day through the President of the Board of Control. Indian administration was, therefore, now affected to a large extent by the changes in the Government at Home. The British nation now definitely accepted the task of governing India. The famous declaration about non-interference in the affairs of Indian princes was responsible for restraining the ambition for territories of certain Governors- General.

CHARTER ACT OF 1793.

The Charter Act of 1793 was a consolidating measure. It reproduced in one place the provisions of different Acts on India that were still to remain in force. The Governor General and the Governors were given power to override their councils. The number of their councillors was increased by making the Commander-in-Chief an additional member. A Board was established in England to control the Indian revenues. The number of the members of the Board of control was now reduced to three and two of them need not be Privy Counsellors. As the President had a casting vote, from henceforward, the Board existed merely in name, while the real power was in the hands of the President. The Commercial monopoly of the Company was renewed for another twenty years.

THE CHARTER ACT OF 1813.

When the Charter of the company came to be revised in 1813, the Free Trade tendencies in England were having their play. Under the influence of the New School of Economicists, as well as of the demand of a large class of businessmen to share the profits of Indian trade, the monopoly of trade in India was abolished. There had long been a controversy as to the activities of the missionaries in India and Sir John Shore had been advocating their unrestricted coming into India. The Charter Act established a bishop for the whole of India with some minor Church dignitaries, though missionaries could come to India only under a license. Rupees one lakh a year were to be spent for the revival and improvement of literature and encouragement of the learned natives of India.

THE CHARTER ACT OF 1833.

The Charter Act of 1833 was the result of the liberal influences at work in England. It made a notable advance in many ways upon its predecessors and was a land-mark in the constitutional History of India. The East India Company for the first time was directed to exercise Government in India in trust for His Majesty, the King. The ultimate interest of the British Government in Indian administration was thus proclaimed. The act also divested the Company of all its commercial functions. Its debt was taken over as a charge on the revenues of India. A dividend of $10\frac{1}{2}$ % was also to be paid from the same source. Europeans were allowed to come to India without license and they could get lands in the Presidency towns, but the old fear of the evil effect of European intercourse with India resulted in permitting the Governor General to make laws for protecting Indians against the English. There was no change in the Executive Government of the country. The Governor General of Bengal now became the Governor General of India, to mark him clearly from the Governors of the minor presidencies. Legislative functions were now

centralized in the hands of the Governor General in Council, and thus the last step was taken in the unification of the government of the country. In order to help him in the matter of legislation, a fourth member was added who was not to share responsibility for executive work. The Governor General in Council could make laws for the whole of the country, but he could not pass any legislation which affacted any customary law in England, 'on which depends the allegiance of the Indian subjects to the King of England.' The limitation became the cause of fruitful litigation in future, when the right of Indian Government to pass such laws as the Press Act of 1910 was contested.

The subordinate Governors could submit to the Governor General in Council drafts of laws, which they wanted to get passed. He was bound to consider them and communicate his decision to the Governors concerned. It was soon found out that it was impossible to legislate for such a vast country as India by means of one legislative organ but it was not till 1861, that this defect was removed. Anyhow, by the addition of a law member to the executive council of the Governor General, the first step

was taken towards the setting up of legislative councils in the country. The executive had been freed from judicial work in 1811, and now a differentiation was sought to be made between the executive and legislative functions. In order to remove the uncertainty of the Law, an Indian Law Commission was appointed. The Commission's labours resulted in the passing of the Indian Penal Code. It was decided that the Governor General in Council should take action in order to mitigate slavery in the country. Another famous clause declared the equality of all classes of Indian subjects and removed any disqualifications against the entry of the Indians to high Services.

THE CHARTER ACT OF 1853.

The Charter Act of 1853 marks another landmark in the constitutional history of India. The separation of the executive and the legislature was now carried a step further by providing for additional members for the purpose of legislation. The old Executive Council was strengthened by the inclusion of the Law Member and the Governor General was given the power to nominate a vice-president. A *quorum* of 4 members was fixed for the meeting when legislation was discussed. Discussion had already become *oral*, but it was now thrown open to the *public*. Different legislative measures were now entrusted to *Select Committees* for examinations. Thus the frame work of the Central legislature was complete, and the separation between the executive and the legislative functions of the Government was further marked by requiring the *assent* of the Governor General to all legislative proposals. In order to make the principle of legislative centralisation a success, it was now provided that different provinces should send one representative to the Central Council. No measure respecting any province could be considered unless the repre-

sentative from that province was present. The Chief Justice of the Supreme Court of Calcutta was to be an ex-officio member of the Council and one more Judge was also to be appointed. The Governor General was given the power of appointing two more Civil Servants as the members of the Council.

All these measures put the Central Government in a minority and thus some sort of non-official critics of the Central Government were called in to help with their advice and criticism. These members wanted to use the Council as a petty parliament and were ready to ask questions, call for papers, and move resolutions. The Act did not say much about the functions of the Councils and its silence produced many difficulties.

The Governor General was given the power to appoint a Lieutenant Governor for Bengal and thus keep in his own hands the general administration of the whole country. Power was also given to create new presidencies and to alter the boundaries of the existing provinces.

The patronage of the Court of Directors was now taken away. Nominations to different posts in India vere now to be on the result of a

competitive examination; and thus the foundations of the modern Civil Service were laid.

The Home Government of the Company was also to some extent modified. The number of directors was reduced to 18 and 6 of them were to be nominated by the Crown. The directors were to be divided into three committees dealing with financial, political, and judicial work of the Company. The submergence of the Company was marked by putting the salary of the President of the Board of Control on Indian Revenues and thus ending the fiction that he was simply a supervisor of Indian affairs. In this way the Government of India was brought in a larger contact with the ministry, and the way was paved for the final transfer of the Indian Government to the English Crown.

The Charter Act was not to remain in force for any fixed term but could be terminated at the pleasure of parliament. This was to clear the way for the final transference of the Government of India to the British Government.

The Act was defective because it made an impossible attempt at *centralising* the legislative work of the whole of India. Another defect

was the exclusion of *Indians* from the Council which in the opinion of Sir Sayed Ahmed was to play some part in the Mutiny. The *functions* of the Council was also not definite and this was to cause some trouble to the executive. All these defects were recognised and removed by the Indian Council Acts of 1861.

TRANSFERENCE OF THE GOVERNMENT TO THE CROWN.

When the Act of 1853 was passed, the feeling against the continuation of the Company as the ruler of India was rising fast. This was one of the reasons why the Charter had been renewed for an indefinite time. All that the Company had done could not blind the people to the anomaly of a trading corporation governing such a vast conntry as India. But the company that had built up the British Indian Empire withcut any cost to the British treasury could not be dismissed easily. Some excuse had to be found before its territorial power could be terminated.

The Mutiny provided the excuse. It was felt that the shock of the event necessitated some fundamental change in the Government. Of course, as James Mill pointed out, from 1784 owards responsibility for the Government of India had been equally shared between the Board of Directars and the Home Government, and it was unjust to penalise the Company alone. They claimed that they had been governing India with a wisdom greater than what the ministers sometimes exhibited in dealing

with other colonies. Of course, it was glorious for the Company which had begun its career as a body of merchants trading with the East, to bequeath to the nation an empire larger than any that had existed in the world. All these arguments, however, failed to convince either the nation or the House of Commons, and it was finally decided to take over the Government of India from the Company. Thus the British Government purchased the Brit sh Empire in India from the East India Company, but unfortunately for the finances of India, the purchase money, along with the Company's debt, and the cost of the Mutiny, was put upon Indian shoulders.

The transfer from the Company to the Crown did not bring in many changes in the internal Government of India. At home the Secretary of state and his Council took the place of the President of the Board of Control and the Court of Directors. Thus Indian affairs came now more regularly and definitely before the Home Government than previously. The India Council, now set up, was to consist of fifteen members, seven of them in the first instance to be elected by the Court of Directors.

To provide Indian experience, it was laid down that at least ten of the members were to be persons with some experience of Indian affairs. This Council was to act merely as an advisory body, though a vote of the Council was necessary for spending the revenues of India. The Council had a good deal of influence but very little of independent power. It was laid down that the Indian army was not to serve outside India, except with the permission of both the Houses. The Royal Army in India and the Company's troops were amalgamated and all the treaties of the E. I. Company were to be kept in force. As the Government came under the cabinet, the appointments to high offices in India were to be made by Her Majesty.

Now that the British Government assumed direct control of Indian Government, it was to be expected that this would be followed by a greater parliamentary interest in the affairs of India. But the results showed that this expectation was ill-founded. With the passage of this Act, and by entrusting the Government of India to a responsible minister, parliament seemed to have made a gigantic effort, which taxed its capacities to the utmost, and, in sheer

exhaustion, it refrained from any more interference in the affairs of India. The fact was that as long as the government of India was carried on by the E. I. Company, parliament used to take up the position of a disinterested arbitrator. It suspected the intentions of and mistrusted the Government of the Company, and every passage of the Charter Act provided a great inquisition in the affairs of India. Now that the Government was in the hands of a Minister who was a member of the Cabinet, Parliament was content to leave the actual administration in his hands and show him the usual courtesy due to a Cabinet minister by trusting him. Thus though greater opportunity for supervising the administration in India was provided to Parliament—the members could use all the parliamentary weapons to influence the Government of India—through the Secretary of State, in practice it was not much availed of. From the very first the convention was set up of treating Indian affairs on non-party lines, which took away much of the interest of the members from the subject. Thus alone can we explain the paradox that was now presented.

THE QUEEN'S PROCLAMATION OF 1858.

The Act of 1858 merely represented a change in the machinery of the Government. But the direct assumption of the Government by the Crown represented something besides as well. As we have seen, while studying the Mutiny, certain delusions about the Government of India were given up at this time. Their renunciation was embodied in the Queen's Proclamation which was more dignified and paternal than the dry Act.

The Queen proclaimed the assumption of the Government of India by her Government, and went on to make certain declarations about the intentions of the new Governors. The Indian princes were assured the preservation of their present territories by the declaration that the British Government did not desire any extension of its territories. The continuation of their dynasties was guaranteed by allowing them the right of adoption. The Mutiny had been due to the suspicions of Indian soldiers as to the religious intentions of their rulers. The Queen now strictly charged and enjoined upon all those in authority

to abstain from all interference in the religious beliefs or worship of Indians on pain of her highest displeasure. She also held forth the promise that in framing and administering the law, due regard should be paid to ancient rites, usuages and customs of India. Indian subjects of Her Majesty were declared to be equal to British subjects in other parts of the Empire. The exclusion of Indians from the offices under the Government had been declared to be one of the causes of the Mutiny. This was sought to be remedied by promising equal rights and opportunities to Indians along with other British subjects.

Besides this announcement of a change in policy, the proclamation contained a promise of a general amnesty for all except the worst offenders during the Mutiny. The treaties of the East India Company were all declared to be in force, and all civil and military officers were taken over in the service of the Queen.

This Proclamation has been named an Indian Manga Charta. Not that it opened out any prospects of representative institutions, or of responsible Government, as did the King's proclamation of 1919, by that time the vision, neither

of Indians, nor of their British rulers, extended so far. Its value consisted in three of its cardinal principles, non-interference in religion, equal opportunities for Indians for a share in public offices, and a guarantee to Indian princes that their territories would not be coveted by the Sovereign power. The first demand that the educated Indians now made upon their foreign rulers took the form of a claim to be appointed to offices for which they were otherwise fit. This claim was always substantiated by a reference to the Queen's Proclamation and the Act of 1833, and that is why the Queen's Proclamation occupies so large a space in our earlier popular agitation.

INDIAN COUNCILS ACT 1861.

The Indian Councils Act of 1861 reversed the experiment in the centralization of legislation begun by the Act of 1833. It is to this that we can trace the beginning of the modern system of legislation in India by means of Provincial Councils and a Central Council The Act also began the custom of associating non-officials in the work of legislation, an association which has now been carried to its logical limit by making councils predominently non-official. It constructed the framework of different legislatures and made the councils, Legislative Committees for the purpose of giving advice and information to the Government. The law was still made by the Executive, but full public discussion was ensured.

The Central Government:—A fifth member was added to the executive council of the Viceroy, and power was given to entrust to different members work in different departments. The Governor General could nominate a President who was to preside in his absence. He was also given the power of making rules and regulations for the conduct of business.

The council was to be strengthened by the addition of, not less than six, or more than twelve, members nominated by the Governor General for the purpose of legislation. No less than one half of the additional members were to be non-officials. They were to hold office for two years. The council was to confine itself to the work of legislation alone, but measures affecting the public debt, finance, religion, defence, and foreign relations could not be oonsidered without the previous sanction of the Governor General. The approval of the Governor General was necessary for every Act passed. The Governor General was also given the power of making ordinances which were to remain in force for six months. The authority of the Council was extended over all the people, and it could legislate on all subjects.

The Provincial Government:—The Governors of Bombay and Madras were given the power of nominating, not less than four, nor more than eight, additional members for the purpose of legislation. They were to hold office for two years like the members of the Central Council. The business of the Provincial Councils, like that of the Central Council, was to

be confined to legislation alone. The consent of the Governor and the Governor General was necessary for all legislation. There was no distinction between the provincial and Central subject; but measures affecting Public debt, Finances, Currency, Post Offices, Telegraph, Religion, Patentship and Copyrights were to be considered ordinarily by the Central Government only. The Governor General was given the power of creating similar councils in Bengal, N. W. Provinces, and the Punjab, but the maximum number of non-officials in those councils was to be one-third, instead of $\frac{1}{2}$ as in the case of the Presidencies.

The result of the Act was that the association of Non-officials in the work of Legislation was commenced. Under the provisions of the Act, certain Indian princes were admitted into the Councils.

INDIAN CONCILS ACT OF 1892.

The Act of 1861 was simply the first step in the right direction. As far as the functions of the Councils were concerned, it had limited the members to the discussion of legislative proposal only. The new councils were very small bodies and resembled sub-committees rather than legislative chambers. In both these directions a demand for improvement was made. It was claimed that functions of the councils, Indian and Provincial, should be widened by allowing them to discuss the budget, ask questions, and move resolutions. The composition was to be liberalized by increasing the number of members, by strengthening the non-official element, and by admitting Indians through election. The demands were backed by the Indian National Congress, the Liberal party in England, and the European non-offlcial element in this country. When Lord Dufferin became the Viceroy, he took up the question seriously and appointed a sub-committee of his council to investigate the problem. As the result of these investigations, he formulated his proposals and sent them to the Secretary of State. The result was the passage of the

Indian Councils Act of 1892. Lord Dufferin had sketched out his proposal in a bold spirit, but the conservative Government at home was timid and did not want to apply liberal principles to the Indian constitution. The result was that the measure as it emerged from parliament fell far-short of the proposals of the Viceroy. The functions of the councils were widened. They were allowed to discuss the annual financial statement, and thus review the whole policy of the Government for the year past. Right of asking questions was also conceded to, and thus the members could invite the attention of the Government to important questions as they struck them. The composition of the councils was also liberalized. The number of additional members was fixed at sixteen in the case of Imperial Council, fifteen for United Provinces, and twenty for Bombay, Bengal and Madras. Two-fifth of these members were to be non-officials. The Home Government had tried to evade the question of election, but a deputation of the Indian National Congress had been able to win the sympathies of the liberal party and Mr. Gladstone on their behalf. As the result

of the pressure that he put, the conservative government agreed to allow elections to be held in India under the rules, though the members so elected could take their seats only after being nominated by the government. In the provinces the non-official members were almost all nominated after election by certain non-official bodies. The members of the Indian Legislative Council were elected by the non-official members of provincial councils. The Governmemt was thus able to save its face, while at the same time accept the view put forward by the Indian nationalists. It was under this Act that a Council was set up in the Punjab in 1897.

The Act of 1893 was not complete in itself. Rules were made under the Act so as to make its provision successful. The Act of 1892 did not long remain a measure satisfying the aspirations of educated Indians.

Intellectual awakening and educational developments were going faster than some of our rulers had bargained for. The victory of Japan in the Russo-Japanese war acted as an eye opener, and in the awakening that followed all over Asia, India had her share. The

work of the Indian members of the provincial councils and the imperial legislature was being appreciated, while at the same time the members were making larger and larger demand for a share in the Government of their country. The passing of the Universities Act of 1904 and the partition of Bengal deeply wounded the feelings of the educated community. They realized more than ever their helplessness in the government of their country. When the liberal party came in power in 1906, Mr. Morely, a disciple of Gladstone, became the Secretary of State for India. He had a very large share in the Home Rule Bill which Gladstone had introduced for the purpose of conferring autonomy on Ireland. He was a brilliant writer and a biographer of Burke and other liberal minded statemen. High hopes were entertained as to the success with which he would be able to carry any measures of Indian reform. He did not belie his reputation.

MORLEY MINTO REFORMS.

He at once took up the question of Reforms in India, as befitted a radical of his nature. Lord Minto set up a Committee of his executive council to formulate views, and suggest measures, and on the report of that Committee, made certain suggestions as to the possible lines of advance. The discussions that followed between the Secretary of State for India and the Governor General resulted in the passage of the Government of India Act 1909, which made certain reforms in the Government of the country without changing its autocratic nature.

The measures widened the functions of the councils—imperial and provincial—to an appreciable degree. The underlying idea was to associate people to a larger extent with the government in the decision of public questions. It gave the members the right to discuss the budget and move resolutions thereon, thus allowing them an opportunity, not only of discussing the policy of the Government in general, but of putting forward specific financial proposals. Along with it, a more effective way of inducing a change in the policy of the go-

vernment was devised by conferring upon members the right to move resolutions subject to certain safeguards. These were to take the form of recommendations to the Government and the Government was bound to treat them as such. This allowed the discussion of questions of public importance in the council and helped the government to understand the Indian point of view. The right of putting questions conferred by the Act of 1892 was widened by allowing the same member to ask supplementary questions.

The composition of the councils was also liberalised a great deal, but the fundamental basis was not to tamper with the autocratic nature of the government in India, but still to retain, in the hands of the executive government, final decision of all questions. Yet an attempt was made to associate a larger number of Indians in the Government of their country. The number of members in the provincial councils was raised to 30 in the minor provinces, and 50 in the Presidencies. Here a majority of these members was to consist of non-officials, the government thus abandoning its numerical superiority. Yet this did not in any way en-

danger its position as far as the questions of great public importance were concerned. All these non-officials were not to be elected members and the government had—except in Bengal, where European elected members could be as well classified with the officials—a majority of its own nominees, officials and non-officials. The system of election through corporate bodies, such as Municipalities, District Boards, Universities, and Chambers of Commerce, was recognized by law, which conferred on them the right to elect members instead of recommending their nominees to the government. This recognition of the right of election was followed by the system of communal representation, which made separate arrangements for the election of Muhammadan members by their own community. It was only reluctantly that Lord Morley sanctioned this feature of the measure.

The non-official majority in the provincal councils could sometimes endanger the government's policy in the provinces. It was felt that this could be dared by keeping the imperial council still largely non-official. Here the number of additional members was raised to sixty, twenty

eight to be non-officials. It was felt that this majority of officials was necessary for the purpose of safeguarding the interests, not only of the Government of India, but of the provincial governments as well, when they might be defeated in their legislative intentions in their own councils. The elected section of these members was mainly to be returned by the provincial legislative councils.

These reforms were the final outcome of a benevolent despotism. They did not initiate any new policy, but carried the old system a step father, as events were to prove, to a point beyond which it could not advance. 'The change was one of degree and not of kind.' Lord Morley himself disclaimed any intentions of setting up parliamentary institutions in India. Indians of course, were now given an increased representation in the Government of their country, and general non-official approval was sought for its measures by the Government. But it was not possible to extend this system to an indefinite limit.

The authors of the Montague-Chelmsford report analysed the legislative work of the councils and came to the conclusion that it

was not imposing. They held that here the councils performed a useful function in the previous consultations, which the Government members sometimes had with the non-officials, and in the Select Committees, where non-official proposals could receive better consideration. The standing select committees on finance and other subjects of public importance also performed a useful function of influencing from within the day to day administration of the country. The resolutions and questions also served a useful purpose by eliciting information as to the policy of the Government on questions of public importance.

These Reforms were welcomed by the educated community, but the hopes that were built on their character were soon dissipated. Yet inherently the Morley-Minto Reforms were bound to disappoint the more advanced politicians; and soon others also came to the same conclusion. The system of election was still indirect through municipalities and other corporations. The presence of the offieial members, as a machine that could be operated by the Government at any time, led to unpleasantness and sometimes to well merited criticism. Worse still

the Decentralization Commission of 1909 did not recommend much devolution of power to provincial authorities; and nor did these reforms synchronize with any substantial advance in local self-government. In the imperial service also the share of the Indians was not much increased, though Lord Morley appointed Indians as members of his own, the Viceroy's, and the Governor's Councils. But what rankled in the minds of the educated community most was the disclaimer that these reforms were to lead to nowhere. Lord Morley's emphatic denial in the Lords would sometime appear in their minds and make them discomfortable. The Government was playing the roll of benevolent despots but as a high official put it, "the public did not know what roll it was going to adopt. A system was set up where the government could be challenged, and sometimes be obstructed, by members who had some power though no responsibility."

THE DEMAND FOR FURTHER REFORMS AND THE DECLARATION OF AUGUST 20, 1917.

As the disappointment of the people over the Morley-Minto Reforms increased, a demand came to be formulated for a further advance. According to Indian public opinion, the reforms had not prevented what they termed 'repression' in the country. Morley Minto Reforms were followed by the appointment of a Decentralization Commission whose report was disappointing. Yet Indian demand for some further advance was growing apace. Lord Hardinge's Government issued a resolution on Local Self-Government and appointed a Public Services Commission to fix and determine the Indian element in the superior services of the country. Even now the goal of the British Government in India remained undeclared. Lord (then Sir S. P.) Sinha, as the president of the Bombay Session (1914) of the Indian National Congress, made a public demand that a public declaration be made as to this goal, and that it be defined as the grant of dominion home rule to India. This was followed by the preparation of a scheme of reforms by Mr. Gokhale in 1915,

though it was not made public till much later. In connection with his proposals it should be remembered that they did not constitute a demand for reforms. They set down what would have satisfied Indian opinion *at that time if granted voluntarily by the Government.* In October 1916, the nineteen elected members of the Imperial Legislative Conncil unanimously adopted a memorandum on Reforms making certain suggestions as to the future advance which should come without delay. Both these schemes suffered from the fact that they only tankered with the existing system, though they wanted to evolve a half way house to responsible government. In December 1916, this was followed by the Lucknow Pact between the Indian National Congress and the Muslim League. It guaranteed to the Muhammadans special representation in return for their adhesion to the demand for reforms. Then was also adopted the Congress League Scheme drawn on the same lines, tempering with the existing beurueratic system to suit it to the demand for responsible government.

This was early in the War. But the splendid service of all classes of Indians in that grim

struggle made the British Government look more favourably on their claims. The War, with its principles of self-determination and an air of moral superiority, made the nations, as Mr. Lloyd George put it, travel their road of centuries in as many years, if not in months. The Report of the Mesopotamia Commission brought the whole thing to a crisis The frightful failure of the British army in Mesopotamia was attributed, to some extent, to the system of government in India, which was 'too wooden, too inelastic,' to quote Mr. Montague. The immediate result of the debate on the report was the appointment of Mr. Montague as the Secretary of State for India. He at once undertook to reform the system he had so unreservedly condemned. The first fruit was *the Declaration of August 20, 1917.* It announced that 'The policy of His Majesty's Government is that of increasing association of Indians in every branch of administration and the gradual development of self-governing institutions in the country with a view to progressive realization of responsible government in India as an integral part of the British Empire.' It was added that the British Government and the Government of India alone

must be judges of the time and measure of each advance and that this advance was to be judged by the corporation of Indians and their successfully working the institutions set up amidst them.

The Declaration, as we have seen, opened a new chapter in the constitutional history of India. So far, the advances made in the constitution of the country had been aimlessly made and even Lord Morley had disclaimed any intention of setting up parliamentray institutions in India. But what he had held impossible only seven years back was declared to be the goal of the British policy in India. India was now to be admitted to the British Common Wealth of nations as an autonomous member thereof, and was destined to take her place along with other self governing dominions.

REPORT ON INDIAN CONSTITUTIONAL REFORMS.

In pursuance of the declaration of August 1917, Mr. Montague and Lord Chelmsford set out to make an investigation into the question of reforms in India, which was necessary for giving the declaration a practical form. They toured throughout the country and examined representatives of all classes of people. After an enquiry lasting over eight months, they presented their report. It is a document of great constitutional importance and can be compared only to Lord Durham's report on Canada.

After examining all the materials before them, they formulated the following four principles;

"I. There should be, as far as possible, complete popular control in local bodies and largest possible independence for them of outside control.

II. The provinces are the domains in which the earlier steps towards the progressive realisation of responsible government should be taken Some measures of responsibility should be given at once and our aim is to give complete responsibility as soon as conditions permit.

III. The Government of India must remain wholly responsible to Parliament and its authority in essential matters must remain indisputable, pending experience of the effect of the changes now to be introduced in the provinces. In the meantime, Indian Legislature and its opportunities of influencing government were to be increased.

IV. In proportion as the foregoing changes take effect, the control of parliament and the Secretary of State over the Government of India and provincial governments must be released."

Starting with these principles, they formulated their proposals. While at Calcutta, they had examined Mr. Lional Curtis of the Round Table, who suggested, what later on came to be called Diarchy. They accepted that suggestion and recommended that in the provinces responsible Government be attained by entrusting certain subjects to the control of popular ministers answer-able to the provincial Legislative Councils. The Legislative Council itself was to have a substantial majority of directly elected members. Some subjects in the provinces were to remain in the hands of the Governor in

Council, who was to administer them under the supreme control of the Secretary of State. The Government of India was to preserve indisputable authority on matters essential for the discharge of its responsibilities for peace, order and good Government. The number of Indians in the Executive Councils was to be increased. The present Imperial Legislative Council was to be replaced by a Legislative Assembly of one hundred members, of whom two thirds were to be elected, and by a council of State consisting of fifty members, 29 to be nominated. In finance, a complete separation between Indian and Provincial sources of revenue was to be affected and the Provincial Councils and the Legislative Assembly were given a right of discussing and voting the demands, the Government reserving to itself the right of restoring any demands in the Indian Budget and any demand concerning the Reserved Departments in provinces.

The States were to have a Chamber of Princes, and all States possessing full internal powers were to come in direct relation with the Government of India.

All racial bars in regulations for appointments to the public services were abolished and

an examination for different public services was to be held in India as well.

The report was received with mixed feelings in the country. It was not very pleasant for politicians to profess admiration for a scheme which took no notice of the programmes that they had put forward. Diarchy or the division of the provincial government between the Reserved and Transferred halves was open to many objections, and the fact that the Government of India was left in the full exercise of its powers did not commend itself to Indian public opinion. Anyhow, it was felt to be a great advance over the existing form of Government and a large section among Indian politicians welcomed the proposals.

As Mr. Montague had announced in the House of Commons, these proposals were published for public discussion and the Government of India also formulated its own views on the subject. The result was the introduction of a Bill in the House of Commons on the lines of the Report.

THE REFORMS ACT OF 1919.

When the Bill was introduced in Parliament, a Joint Select Committee of the House of Commons and the House of Lords was appointed to report on the measure. It took evidence from different interested quarters including representative Indians. It presented its report soon after, modifying the Bill in certain respects. The Bill, as so modified, received royal assent on December 23, 1919, to be in time for discussion at the Amritsar Session of the Indian National Congress. It was followed by a Royal Proclamation wherein the rights of Indians to Swarajya were once more affirmed. It promised the people of India. equal opportunities in the Government of their country and spoke of the right of the Indian people to direct their affairs and safeguard their interest as a gift 'without which the progress of a country cannot be consummated.' It was also asserted that without political responsibility the work of the British in India would have been incomplete. A general amnesty to political offenders was proclaimed to create a better atmosphere for the reception of the Act.

The Government of India.—The Reforms Act started with the assumption that in the

Central Government the authority of the Government was not to be impaired. Yet the grant of partial responsibility to the provinces necessitated certain changes, while the Government of India could not remain unaffected by the general wave cf reform. The result was that an advance, however small, was made in the Government of India as well.

Following the Federal model, the subjects of administration were divided between provincial Governments and the Central Government and were classified as Central and Provincial. The Government of India retained full control over subjects of all India importance, as the defence, foreign relations, relations with States in India, Communications, posts, telegraphs and telephones, Customs, Income-Tax, duties on salt and other sources of all India revenue, currency and coinage, public debt, civil law, commerce, scientific surveys and all India Services. Besides these, the Central Government exercised residuary powers in matters not explicitly transferred to provincial control. This was the first definite step towards evolving a Federal Constitution for India. The second step was taken by separating the finances of the Central and the Provincial

Governments. Definite sources of revenue were to be put at the disposal of the Central and the Provincial Governments, the resulting deficit to the Central revenues was to be met by provincial contributions.

The Executive Government of India was not much revolutionised, except that the number of Indians in the Executive Council was increased to three. The executive Council of the Viceroy came to consist of three Indian members and three European ordinary members, the Commander-in-Chief being an extraordinary member, and the Viceroy remaining at the head of all. This Executive Council remained an administrative body and differing a good deal from a Cabinet responsible to the Legislature.

It was in the domain of legislation that some noteworthy changes were affected. The old Imperial Legislative Council gave place to a Legislative Assembly and the Council of State. The Legislative Assembly came to consists of 140 members out of whom 100 were to be elected. Among the remaining 40, the number of officials was reduced to a minimum necessary for the purpose of representation of different departments in the Assembly. The members

were to retain their seats for three years, unless the House were sooner dissolved by the Governor General, who, however, must summon a new assembly within six months. The first Assembly got a capable president in Sir Fredrick Wyatt, nominated by the Governor-General. The Act provided for the election of a president in a new session after the expiry of four years. This election took place in the next session where Mr. Patel was elected president. He filled that office with distinction till his resignation early in 1930.

The Council of State came to consist of 50 members, of whom 33 are elected. They represent propertied classes, with a mingling of the intelligensia They retain their seats for five years, unless the House is sooner dissolved by the Governor-General, who must, however, summon a new Chamber within six months.

The Assembly and the Council of State exercise all the functions which the old Imperial Legislative Council used to exercise. There has not been much change in the functions of the Council; their increased power has come from the strength of the elected element therein. The members can ask questions, move resolutions, ask for the adjournment of the House on some question urgent of definite public

importance, introduce Bills themselves, and discuss those introduced by others. The Budget is annually presented to them and they can discuss it and vote the grants. The expenditure classified as eccelesiastical, political or defence, is not subject to the vote of the Legislature. They can discuss the grants on these heads, but cannot move any resolutions thereon. The pay of all India Services and charge for interest, are not submitted to the vote of the Legislature. In matters which are open to the vote of the Council, the Governor-General retains the power of certifying that any rejected demand is essential for the discharge of his responsibilities and then he can spend the necessary money. He has got similar powers in case of a measure, imposing new taxation or altering old taxes. Both these powers have been used in the past.

In the field of Legislation no new rights have been conferred upon the Legislature. Any increase of power, here as well, comes from the increased non official majority in the Legislature. Here also the Governor-General possesses the power of certifying a peace of legislation necessary for the peace of the Govern-

ment of the country and to make it a law by such certification.

It might well be asked where the improvement over the old position has taken place. It should be remembered that certification of a legislative proposal, grant, or a financial measure, is now avowdly the work of the Governor General alone. No body shares his responsibility in the matter and this makes him take care, how he exercises it. Thus this power is intentionally kept to look an exercise of despotic authority. In the pre-reform days the Government could carry such legislation in the Council by the help of its official majority and measures so passed could be declared to be the work of the Legislative Council. Moreover, the large number of people's representatives in the Legislature increases the importance of their voice and makes the Government think twice before disregarding their advice.

A convention was set up in Financial matters soon after the introduction of Reforms. The Joint Committee had recommended that the Secretary of State should not interfere in Financial matters, where the Government of India and the Legislature were of one mind

Mr. Montague allowed this in practice, when the Legislative Assembly, with the concurrence of the Government of India, raised duties on the imported Cotton Goods.

A section of the Act provides for the transference, by the Secretary of State, of his power of supervision and control, to the Government of India. Because the central Executive is not responsible to the Legislature, it is under the authority of the Secretary of State, who, as the representative of Parliament, is responsible for the Government of India, who are bound to carry out his orders. The Select Committee had recommended that he should relax his control by framing definite rules for this purpose. So far not much has been done and it is doubtful whether any rules have ever been prepared It is suspected that the interference of the Secretary of State has not much decreased in practice. In the debate on the Racial Discriminations (Removal) Bill and the Princes' Protection Bill, the suspected interference of the Secretary of State was much resented by the members of the Legislature. Similarly, Lord Curzon's earlier description of the Government of India, as 'subordinate de-

partment of His Majesty's Government,' caused many heart burnings. We should, however, remember that despite India's participating in the League of Nation's Assemblies and the Imperial Conferences, as long as full dominion status is not attained, interference in Indian affairs by the Cabinet and the Secretary of State would continue, even when the Government of India and the Legislature are of one mind. There is nothing in the Reforms Act to prevent this interference, though the Joint Select Committee recommended that it should cease. Moreover, Parliament assumes final responsibility for Indian affairs; and as long as that assumption lasts, this interference would remain as the visible sign thereof.

The Act provided that a Royal commission was to be set up, not later than 1929, to reinvestigate the problem and make recommendations as to the next instalment of reforms.

DIARCHY.

The Reforms in India are novel in setting up in the provinces a system of Government for which a new word had to be coined. This is Diarchy, and both the word and the idea came originally from Mr. Courtis. It is a new experiment in the Government and as such was not welcomed with enthusiasm by any set of politically minded people. Mr. Montague and Lord Chelmsford adopted it, because, as they said, there was no other alternative. Anyhow, the system has the air of being novel and was probably the best thing possible under the circumstances.

The essential nature of the system is the division of the provincial executive into distinct halves, owing responsibilty to different authorities. As we have seen already, certain subjects have been delegated to the control of the Provincial Governments. They include Law and Order, Land Revenue, Finance, Agriculture, Education, Registration, Industries, Local Self-Government, Medical Relief, and Sanitation. These provincial subjects have been further sub-divided into two groups, Transferred and

the Reserved. Education, Medical Relief, Sanitation, Registration, Industries, Agriculture, and Local Self Government, have, among others, been transferred to the control of Ministers. The Provincial Executive is divided into two portions to correspond to this division of subjects. The Reserved subjects are under the control of the Governor in Council, who owes final responsibility for the administration of those subjects to the Secretary of State. The Transferred Subjects are administered by the Governor acting with the Ministers. These Ministers are nominated by the Governor from among the elected members of the Provincial Council. They are responsible for their policy to the Local Legislative Council, and can hold office only so long as they retain the confidence of the Council. No money can be used for the Transferred Department except with an express vote of the Provincial Council, unless Diarchy be under suspension. No policy can be adopted against the wishes of the Legislative Council. The Joint Parliamentary Committee intended to set up party Ministeries consisting of members holding the same views; but in practice this has not been attempted in most provinces.

The rules are so elastic as to have made it possible for a Governor to treat his Ministers as mere advisers, whose opinions he was not bound to accept. The real power of the Ministers resides in their hold over the Legislative Council and the absence of regular parties in India has been responsible for a good deal of trouble in this matter. In practice, therefore, it has been found that some Governors have not given due weight to the opinions of their Ministers, because they know that their hold over the Council was not very great.

The Reserved Departments are under the authority of the Governor in Council. Just like the Government of India, he is responsible to the Secretary of State for these subjects. He exercises, therefore, the same power of over-riding the decision of the Council in respect of these subject; he can certify expenditure on them, and can, by his own authority, promulgate a law for those subjects. The budget of the province is annually presented to the Council which has not got the power of voting salaries of All India Services. Every Bill, before it becomes an Act, must receive the sanction of the Governor and the Governor General.

The Joint Committee intended the Provinical Governments ordinarily to act as an undivided whole for the discussion of important questions. Of course, the Ministers and the Executive Councillors were to be respectively responsible for the final decision in matters connected which their half of the Government. They were thus to discuss all questions of common interest together, before any action was taken thereon. The evidence of Ex-Ministers before the Reforms Enquiry Committee proved that this has not been done in practice.

The position of the ministers under the Reforms has not been made very comfortable. Their position of double responsibility, to the Governor on the one side and to the Legislative Council on the other, has rather been a source of trouble. They have not always been able to please both their masters. Besides, the Financial Department is under a member of the Executive Council, and Ex-ministers have alleged that it is partial to the Reserved Departments. The Ministers have got those departments under them which require large money for their development. Neither the Ministers, nor the Legislative Council, can

control expenditure on the Reserved subjects; and when the Ministers want more money they can only propose new taxation, which is bound to make them unpopular. The All India Services working under them are not under their control and this produces many difficulties in actual administration. It has not been suggested that there have been any cases of direct insubordination on their part; but it is a fact that Ministers experienced difficulties on account of their policy being carried out by people who may not believe in it, and who are not at the same time under their control.

The Provincial Governments are under the Government of India to a certain extent. They are required to obey the orders of the Governor General in Council and to keep him constantly informed of all their proceedings. In the Transferred subjects this control is, by the very nature of things, limited to safeguarding the administration of Central Subject, and settling inter-provincial disputes. In the Reserved Subjects, the Government of India acts as the superior officer, whom the Provinces must consult before embarking upon any new policy, or taking a decision on questions of great importance. The

Viceroy acts as the representative of the Secretary of State and thus has a right to be consulted. The Act suggested the framing of rules for the relaxation of the control of the Government of India over the Provincial Governments, but nothing substantial has yet been done in this matter.

In the Punjab, the Government is constituted by the Governor and two Executive Councillors who are incharge of the home and land revenue, and finance department. There are three Ministers, one for agriculture, co-operation, veterinary, and excise departments. The Education Minister is responsible for education, and industries. The minister for local self government, for local-self-government and medical relief.

The Punjab Legislative Council consists of 93 members of whom 71 are elected. The voting qualifications are lower than those for the Municipalities and District Board in the pre-Reform days. Besides the rural and urban constituencies there are some special constituencies as well, returning representatives of the landlords, of Europeans traders of commerce, industry, and of the University. The Council is supreme in its authority on the Transferred

Subjects. In Reserved Subjects, as we have seen, its authority is limited by the fact that final responsibility for those subjects is still in the hands of the Secretary of States. The first president of the council was nominatted by the Government, but now it has got an elected president. The members retain their seats for three year, unless the Council is earlier dissolved by the Governor who must summon another house within six months. The members exercise all the powers and enjoy most of the privileges of the central legislature. They can demand the adjournment of the house, introduce bills, and discuss bills introduced by the Government or other non-official members.

The bulk of non-official evidence before the Reforms Enquiry Committee seemed to point out that Diarchy has not been much of a success. We have seen that ministers suffered from certain disabilities; and these have prevented the Reforms being as great a success as they might have been. Even the official witnesses, when they emphasised the success of Diarchy in their own provinces, seemed to imply that it has succeeded because the practical limitations of the system were disregarded. But there were other

difficulties born of the circumstances which could not have been foreseen. The Reforms started at a time when political atmosphere in India was charged with a suspicion of the intentions of the Government on account of the recent happenings in the Punjab and the attitude of the British Government towards Turkey. This made a section among Indian politicians hold themselves aloof from any participation in the government of the country. This was unfortunate, because the success of the reforms depended, to a large extent, on the Co-operation received from Indians. Another difficulty was the avowdely transitional nature of the constitution. Other countries have passed through periods of transition, but never did they realise the fact or dream of the ideal which they were bound to realise. Here in India the present constitution provides a half way house towards responsible Government; but the very fact makes us chafe under the limitations thus imposed. We want to rush to the goal now, because we know we have to do that some day.

The constitution itself is full of contradictions, and, as experience has shown, certain features

have not been well understood. As the majority report of the Reform Enquiry Committee suggested, there is room for utilising all the powers which the Act can confer on the representatives of the people. Another contributing factor to the disappointment of the people is to be found in the exceptional times, politically and financially, which India had to pass through soon after the grant of reforms. This made it necessary for the Government to utilise exceptional powers more frequently than it would have been necessary to do in normal times.

It will have to be admitted that when once a people have been promised self-government they will not be content merely with "Substantial steps" towards its realization. The goal is so charming that whatever might be the difficulties of the road they want to reach there in the shortest possible time.

OUR NORTH WESTERN FRONTIER POLICY.

One of the most perplexing problems that faces India to-day is that of her North Western frontier policy. In the North and North east, as in the South east and South west, the frontier problem is not a very complicated one. In the North our relations with Tibbet, Nepal, and Bhutan, have usually been normal since the first clashes with these powers occurred. As mentioned above, the problem of Tibbet alone is a recent one but there is not much question of an active frontier policy in that quarter for years to come. In the North east, as well as since the incorporation of Burma in British India, the problem has been simplified. The sea washes the flanks of India along the coast and there is not much chance of a trouble in that quarter except as regards the Persian gulf. Here though the British have converted the gulf into an inland British lake allowing no outsider to put in, it is possible that sooner or later, the latent nationalism of Persia and Arabian states might take offence at the way their sovereign rights have been swallowed up by the British government in India. When

that time comes, India shall have to pursue an active frontier policy on that side of her frontiers as well, but that would simply imply keeping up good relations with the government of Persia and the Arabian states—a simple enough problem.

But on the North Western Frontier the problem is a very complex one. It postulates two separate questions; our relations with Afghanistan, and our relations with the independent tribes. We have studied the question of our Afghan relations elsewhere and here we shall simply discuss our frontier policy more or less as it concerns the independent tribes.

The territory between British India and Afghanistan is practically no man's land, situated between the settled districts and the Durand line. This is occupied by warlike fanatic Pathan tribes who have their counterparts in Afghanistan, as also in the setttled districts of the frontier province. These independent tribes command the six passes, Khyber, Kurrum, Gomal, Rakhi, Harmand, and Bolan, that have, all through the ages, poured down invading hosts into India. The problem of the frontier therefore centres round the question of so dis-

posing our forces as to prevent any invader from thinking of invading India, as also to prevent the transborder tribes from indulging in their favourite game of plunder and robbery in the British districts. The problem seems simple enough stated that way, but 'these tribes are among the hardest fighters in the whole world,' and 'three quarters of a million (750000)' among them are 'adults and fighting men.' They live on hardy soil which in making them tough fighters exhausts its full bounties and therefore makes them professional robbers on a large scale.

The British government in India came face to face to this problem of our frontier policy in the forties of the last century. The conquest and resultant annexation of Sindh brought us face to face with the Baloch independent tribes, and the conquest of the Punjab brought us in collision with the Pathan tribes on our North Western frontier. Thus the frontier question came to date from the forties of the last century.

The problem of the Baloch tribes in proximity of Sindh proved easier. The Khan of Kalat there had some semblance of general control over those tribes, they are milder in

character and depend less on mere robbery for their maintenance. Under Dalhousie a subsidy was granted to the Khan and this made penetration of his territories, as those of the neighbouring independent tribes, easier. Sandeman came and he at once took in hand the reduction of the frontier tribes by peaceful measures if possible ; by force, if necessary. He succeeded in bringing the boundaries of the British empire in India almost right up to the Afghan territories. 'The essence of Sandeman's system was friendship with and support of the tribial chiefs, if they behaved well, 'the provision of employment for the tribesmen in levies, police and other forms of service.' The cessation of Sibbi, Kurrum, Pushin valley in 1880 after the second Afghan war, and the building of a railway in these districts, made the problem easier there and there has not been much trouble on that part of our frontier since then.

There is next the North Western Frontier proper wedged in between the settled districts, and the Durand Line. This can again be divided into two parts. In the Northern portions thereof there are the Mehtar of Chitral, the Wali of Swat, the Nawab of Dir

with some definite authority over the areas they command. In the South lie independent tribes. The disasters of the first Afghan War kept the British to this side of the Frontier notwithstanding the success of Sandeman's work in Balochistan. When ths second Afghan war broke out, the Kurum and Pushin valleys were incorporated in the British territory. The Foreign policy of the Afghans also passed into the hands of the British and with it came desire to get the Eastern Frontiers of Afghanistan demarked. The independent tribes had been troubling the settled districts as usual, and no authority could be called upon to account for their depredations. Counter raids into their territories were received with disfavour at Kabul, but the Amir was not however ready to shoulder responsibility himself for their acts. This necessitated a definite demarkation of the British and the Afghan frontiers. The Durand Mission performed this difficult task and the Durand Line became the eastern limit of Afghanistan. The tribes on the Indian side of the Line could be dealt with by the British Government in India for their ill doings, whereas responsibility for the

misdeeds of tribes on the Afghan side lay on the shoulders of the Afghan Government.

Now came into the fore-front two opposing schools of Frontier policy. The advocates of the Forward Policy and the scientific frontier declared that the best course was to advance up to the Durand Line, and 'Sandemanize' the North Western Frontier. This postulates advance garrisons in the tribal territory, motor roads if not railways therein, and the employment of local labour and use of local supplies for that purpose. It is advocated that in the long run this policy would prove more useful and probably less costly. It would imply decrease in the military expenditure in India, as there would then be less chances of regrettable incidents and consequent expeditions. It would also make possible a reduction in the number of troops on the Frontier. Further, by making available tracts suitable for cantonments, it would lead to more healthy conditions among British troops stationed there. This policy has 'all the merits of logical consistency' but only suffers from impracticableness. The expenditure in men and money involved to secure disarmament

would result in long and difficult expeditions which would be rather too much, while security in war times would almost be none, and the presence of the cognate tribes in Afghanistan would lead to difficulties.

But the policy of non-interference, or of going back to the Indus that was advocated by the backward school was likewise impossible. It would have been an act of folly, as well as of treachery to leave the trans Indus districts in the hands of the Pathans, and the resultant blow to English prestige would no doubt have increased English difficulties.

From 1893 to 1897 the policy oscillated backwards and forwards. The first fruit of advance on the Durand Line was a wholesale rising on the Frontier. The tribes ill understood the niceties of International Law and their hopes and fears produced rising in Gilgit, Chitral, and Waziristan. They were put down after difficult operations. A protectorate over Gilgit and Chitral was established in 1893, but the problem was not really solved till 1897. From 1897 the policy pursued has been to 'remain stationary where possible' and 'to move forward where necessary. At first the

result of this policy was to give an impetus to the policy of the Forward School. It was contended at first that more forts should be built in the tribal territory, and larger garrisons be employed therein. Lord Curzon 'refused to Sandemanise' the North Western Frontier. He wanted to avoid extension of administrative control over that area. But he wanted to follow a swifter and speedier policy as well. With this end in view first of all, he separated the trans-Indus settled districts from the Punjab and made them a separate charge under the direct control of the governor-general through a chief commissioner. Further, he withdrew regular troops from advanced positions in tribal territory and substituted tribal levies for them. It meant, as a British frontier officer described it recently, paying a black mail to the frontier tribes. Youngmen from among them were enlisted as Khasdars. They were to protect the roads and keep peace in the tribal territory! If there was a disturbance or if an untoward accident happened, the payment of the Khasdars concerned would be stopped. They were thus paid to keep peace. This policy proved fairly successful till

the outbreak of the war, when the system broke down. This was accompanied by a more methodical distribution of regular troops who could be more speedily moved to reinforce the Khasdar levies. Wanna, Tochi, and Kurram valleys however were taken under British control and a loose system of administration was set up there. Lord Curzon's methods proved effective till 1914. The Third Afghan War brought a harvest of trouble in Waziristan. The treaty of 1922 with Afghanistan necessitated another redrawing of the frontier and a new frontier policy had to be adopted.

The present policy on the frontier is forward 'in the best sense of the term.' Waziristan is being opened 'to civilising influence,' and the tribesmen are being given 'a stake in the administration of law and order.' This involves making of good roads penetrating the tribal territories and being guarded by tribesmen Khasdars paid by the government, but having their own rifles and ammunitions. Employment is found for tribesmen as chigayars, 'the flying squad,' in each village, village levies, trans-frontier civil corps, frontier police, frontier constabulary. Advance cantonments have also

been built right into the tribal territory. This policy has been successful so far, the tribesmen are being civilized and even schools are being opened for their education. The recent troubles in Afghanistan had their effects on our frontier policy as well. In future the problem of the frontier would become complicated if government in settled districts changes its character.

ECONOMIC DEVELOPMENT OF INDIA.

The last three quarters of a century are remarkable for the economic transformation that has taken place in the country. In about 1760 new forces were released in England that resulted in a new organization of industry. When this industrial revolution had unfolded itself in England, its influence spread to the continent. By the middle of the ninteenth century, the new organization of industry with its factory system and its hordes of labouring classes had, more or less, spread all over the continent except Russia. With the establishment of the British rule in India this European tendency at industrial reorganization made itself felt in India about the forties of the last century and if the resulting changes have not been so rapid as to justify our speaking of an industrial revolution in India, they have however been great enough to have led to a marked change all over the country.

In England the Industrial Revolution was initiated by important inventions in the textile trade. But elsewhere, where these inventions could as well be used as in England, the first

requisite was the betterment of means of communication. This included railways, roads, postal facilities, riverine navigation, telegraph, telephones, and now wireless. Better means of communication make exchange of goods possible over a wider area and this makes possible and profitable a larger production of goods.

ROADS ;

Unner the East India company some work in road construction was begun about the year 1840. A road between Bombay and Agra was begun in that year ; some roads were built in Madras after 1845, though a more rapid programme was adopted only after 1852. In 1850 the Grand Trunk Road between Calcutta and Benares was extended to Delhi and under Dalhousie was begun to be constructed right upto Peshawar. The organization of public works department under Dalhousie, the establishment of the Thomson Engineering College, the necessity of feeder roads for railways, and military roads for defence, soon led to great and rapid expansion of the roads in India. The coming of the motor cars has again riveted attention on the road problem in India.

A special Committee of the Indian Legislature met in 1928 and this question received their serious attention. The institution of a Central Road Fund (not of a Central Road Board as was first proposed) and the holding of periodical road conferences,' was recommended. It was also suggested that the railway department and oil companies should also contribute to the development of roads and that "all tolls should be abolished except on bridges specially built for motor vehicles."

(*b*) RAILWAY.

Though the idea of constructing railways in India was first mooted in the last forties, nothing was accomplished till practically the coming of Lord Dalhousie (1848). The next year contracts were assigned to the East Indian and the Great Indian Penninsula companies under a guaranteed scheme of profits. The first twenty miles of the line, from Bombay to Thana, constructed by the latter Company, were opened in 1853. The same year Lord Dalhousie wrote his famous Minute on Railways. It recommended a general system for the whole country, discussing the allied questions of management, finance and construction. The

outbreak of the Mutiny in 1857 did not allow this scheme to materialise soon and thus it was adopted two years later in 1859. Eight companies undertook to construct 5,000 miles of rail road.

The stipulations were that the Government was to guarantee interest on the capital invested at rates ranging from 2 to 5 per cent (varying with the conditions of the money market prevailing at the time of agreement) in return for their general control over expenditure and operations. The Government had the right of purchasing them at the end of each 25 years. The land was leased gratis by the Government for a period of ninety nine-years. The mails were to be carried free and the troops at reduced fare. Any surplus over the stipulated rate was to be shared between the companies and the Government.

But this guarantee system did not succeed. There were annual deficits. General rise in prices and wages, several severe famines, and ever increasing cost of administration were other sources of trouble for the Government. Hence the guarantee system stood self condemned and the Government refused to continue

this policy any further. This caused a great set back to the expansion of railways.

Then came the second period of railway construction, the decade beginning with 1870. The policy adopted was the taking over by the government the construction and management under its direct supervision. But this scheme too did not for economic reasons prove successful. Again, the Government returned to private construction by companies. Financial help, on lease owner's terms, was offered by the Government. At the same time when the first period of old companies came to an end, the Government purchased some of the lines. Some of these lines were run by the state, others were returned to the companies under a new contract. Thus a very complicated system of railway administration was evolved. In 1900 there were as many as thirty-three separate administrative machineries working the railways. Nearly all the main lines had been finished by that time. The 10,000 miles of railway that were added during the next fifteen years consisted mostly of arteries or feeder lines. At present there are 39,048 miles of railway

lines worked directly or indirectly under the Government. The recent purchase of G. I. P. and E. I. Railways has increased the direct responsibility of the state.

A Railway Board, recently reorganised under a Chief Commissioner, has now been entrusted with carrying on the work of running the railways. The Acworth Committe evolved a commercial method of managing railway finances under which the railway board contributes an agreed upon annuity to the general finances of the country. There are certain lines still which are unproductive, but they fall under two categories; they are either protective lines built to fight famines or military lines constructed for defence proposes.

POST OFFICE.

The construction of good roads and railways has led to the organization of another useful system, that of Post Offices. Formerly, it was a very tough job to send a letter, however important, from one place to another within a reasonable time. Today the whole country is linked up by an elaborate postal system. From Kashmir in the north to Cape Camroone in the extreme south, news can be sent in a week's time at

the most at a cost of six pies only. Today there exist in the country above twenty thousand post offices. The system of a cheap uniform postage duty for the whole country was first set up under Lord Dalhousie; but many improvements have since been made.

Telegraph has still further facilitated the speedy transmission of news from one to another quarter of the country. At a very moderate cost news can be flashed to any part of India. It has done a great service to the economic and commercial development of the country. The foreign rates are easily obtainable both to the importer and exporter. Thus the country is kept in line with the foreign markets. Wireless and telephone are steps ahead in the same line. The former is a recent introduction and is not cheap or even easily available to the public. On the other hand, there are about there hundred big cities which are connected by a telephonic wire.

INDUSTRIAL DEVELOPMENT.

From times immemorial India has been self sufficient. Local areas in the country always produced their necessaries by themselves, though the demand for industrial produce was extremely limited in the past. Handicrafts were highly developed and even to-day they are the mainstay of millions of India. Along with these there were specialised industries which were connected with certain areas, mainly for the use of courts and high classes.

The modern large-scale factory and the plantation industries are mainly concentrated in one or two areas which can be clearly indicated. Bengal and Bombay Presidencies are the great commercial centres of the country. The former is famous for its jute industry mainly for export, and the latter contains seventy per cent of the cotton industry for home consumption. Both Bombay and Calcutta are also the centre of some subsidiary industries including silk, flour mills and tanneries, etc. The cotton industries of Ahmadabad and Sholapore, and also those of Nagpur, Delhi, Cawnpore and Surat are the most famous. But both the Presidencies lack in artistic handicrafts.

In Cawnp re there are also woolen mills, leather, sugar and brush factories, chemical works, and Government ordnance, saddlery and boot factories. Delhi has also, in addition to the flour and biscuit factories, the oil mills. Ordnance factories have also been established by the Government at Cossipore, Ishapore, Dumdum, Kirkee and Jubbulpore. Madras has up-to-date textile factories and Rangoon is the centre for the preparation of rice, timber, and mineral oil for export. Bangalore is also an Industrial centre. Engineering works are mainly found on big railway junctions, such as Lahore, Jabbalpur, Jhansi, Bombay and Hubli.

FACTORY LEGISLATION.

The early growth of a cotton industry in Bombay caused some stir in the rival centres of Lancashire, and an enquiry was demanded in the working of the factories. The result was that the Bombay Factory Commission of 1875 was appointed to investigate conditions in Bombay. Glaring defects came to light as a result of the enquiry. Long working hours, no weekly holidays, small age of the working children were some of the evils recommended to be

remedied. As a result of this enquiry and the growing agitation both in India and England, the Indian Factory Act of 1881 was passed. It provided seven years as the least age for children and four holidays for them in a month. The working hours were to be nine for those between seven and twelve years. Provisions for midday interval and the prevention of accidents were also made.

Further enquiries were held in 1882 and 1884. As a result of the resolution of the Berlin International Conference of 1890, the Government of India appointed another Commission of Enquiry in 1890. Next year another Indian Factories Act was passed. This time, women, like children, came within the purviews of the Act. The minimum age was raised to nine. Children between nine and fourteen could not be employed at night, nor for more than seven hours per day, and were to have half an hour's rest, if they had worked for six hours. Women could not be employed at night and were allowed $1\frac{1}{2}$ hour's rest in a maximum day of eleven hour's work. Otherwise, for all, a rest of $\frac{1}{2}$ hour at midday and a weekly holiday was guaranteed.

The introduction of electric lights greatly affected the working hours. Hitherto the workers could not be employed after sunset on account of darkness, but now with the artificial light that difficulty also disappeared. The result was a working day of 15 or 16 hours and greater misery of the workers.

The agitation was renewed and the result was the appointment of the Textile Factories Labour Committee of 1906. As a result of its findings a more comprehensive Commission was constituted in 1908.

After the findings of these two reports the Indian Factories Act of 1911 was passed. For the present, in the non-textile industry the hours of children and women were to remain unaltered *viz.* seven and eleven respectively. But in textile factories nobody could be allowed to work for more than twelve hours. Night work for women was entirely prohibited except in granaries. Children were required to produce certificates of age and good health before employment. Much stricter regulations were enforced for ventilation, lighting, fire, fencing. provision of water, fencing of machinery, and other matters of this natural. Shortly afterwards measures for

the compulsory primary education of children in factories also were taken, thus completing all sides of the question of factory legisl tion.

No further change occurred until 1921, when the Draft conventions passed by the International Labour Conference at Washington were introduced into the Indian Legislatures, and after some amendments, became law in 1922. By this the minimum age of children was raised to twelve. between twelve and fourteen they could not be employed for more than six hours with a compulsory interval of ½ hour. The work of all adults was restricted to eleven hours per day and sixty per week, with a rest interval of one hour after every six working hours The provision in the act of 1911, that women might be employed at night in granaries was repealed.

The local governments were invested with the power of fixing the standard of ventilation and artificial humidification. The 'factory' was also to include, henceforward, all power using factories employing regularly not less than twenty persons. But the local governments were empowered to extend it to establishments employing not less than ten persons, whether or not power was used.

All pessimistic forebodings as to the result of these measures have proved unfounded. It appears that the Acts have been instrumental in introducing comparatively high standard of safety, ventilation and sanitation.

FORESTS.

Forests occupy ab ut 21 p. c. of the whole area of the country; but if Burma and Assam are excluded, over rest of the British Indian territory the forest form only 7-8 per cent. of the whole. This small area is not sufficient to provide the people with timber, fuel and other necessary things which can only be got from the forests. In order to guard against destruction and exhaustion, Lord Dalhousie formed a conservancy department in 1855. Shortly after this, Indian Forest Department was organised under the direction of Dr. Brandis, Superintendent of Pegu Forests. Arrangements were made for training forest officers. In 1865 was passed the first Forest Act. Since then the Department has gradually been extended and a number of Acts have been passed to strengthen the organisation.

A forest school for the training of forest rangers was opened at Dehra Dun in 1878.

Subsequently, others were started in Madras and Burma. In 1906 a Forest Research Institute was founded at Dehra Dun, while the old school was raised to a college and training was also extended to that for superior appointments in the Provincial Services. A Research Institute has now been opened here.

Both the people and the Government have derived advantage from this conservancy—the people in getting better and cheaper the forests products, and the Government in revenue. They are now classified as 'Reserved,' 'Protected,' and 'Unclassed' according to the machinery that controls them. Uptil 1921 the control of the Forest Administration was in the hands of provinces subject to the supervision of the Government of India. Since then the subject became a Provincial one.

FISHERIES.

The exploration of Indian fisheries has not been vigorously taken up, though they are not wanting in fertility. Caste prejudice in India is a great handicap to the development of this useful industry. Nevertheless the Government has established Departments of Fisheries for Madras (1905), Bengal, Behar and

Orrisa (1906) and the Punjab (1912). In Bombay they are worked by the Department of the Industries. There is much to be done however in this line.

MINERAL RESOURCES.

India has always been famous for its mineral products. Chief among them found in India proper are coal, managanese ore, Gold, Salt, Iron Ore, mica, saltpatre, and monasite, whilst in Burma are found petroleum, lead, silver, copper, zinc, wolfrom, and rubies. But very few of them have been developed by scientific methods. Principal power resoures of India are coal, petroleum and hydro-electricity. But as they are mainly found concentrated each one of them in a particular area, the cost of production and transportation to the required places has been enormously high. Anyway, the recent facilities in fare etc., supplied by the government, it is hoped would allow better use of this great source of wealth lying dormant in the bosom of mother Earth in India.

FAMINES

"History of India" in the words of an eniment Indian, "is the history of its famines." From the earliest times we see India visited by famines,

and they have been terrible too. British rule could not be an exception to this. We see a famine of unsurpsased intensity, working a havock in Bengal and Bihar in 1770 while over the area north and south of the Ganges there was unprecedented desolation. Two others of less importance took place at Madras and in Cutch. But in 1837-38 the whole of Northern India suffered from a severe famine, which caused the death of at least 800,000 people. Inspite of considerable expenditure on the part of the state amounting to 38 lakhs of rupees, the results were unsatisfactory. The country got a short respite of fifteen years. In 1861 occurred another great famine. There had not been sufficient rains and economic depression due to the Mutiny had its share. The area mainly affected consisted of portions of Agra Provinces, the Punjab, Rajputana and and Cuth. In districts most affected the rate of mortality was as high as 8½ p. c. of the population. Considerable sums were expended on relief. Four years after this event another famine, commonly known as the Orrisa famine, broke out. In fact the famine conditions prevailed on the whole eastern coast from Calcutta to Madras and penetrated

far inland. The handling of the situation was extraordinarily deplorable. This censure of management prompted the authorities to take more vigorous action when in 1873–74 a famine broke out in Bihar. The year of Imperial Assemblage on the occasion of Queen Victoria's assumption of the title of Empress saw an exceptionally severe famine due to the failure of the rains in 1876, in Mysore, the Deccan and large areas of the two Southern presidencies. It lasted for two years from 1876 to 1878. Apart from Native States the deaths in British India were calculated at five millions. The famine of 1896-7 believed to be the most severe ever known occurred in Lord Lansdown's time. It was intense in the central areas of the country. Lord curzon also saw himself confronted with a famine at the very beginning of his viceroyalty in 1900. Western India suffered most from it.

The Government has been very serioulу considering the question of alleviating disress caused by the famines which so persistently visit the land. Much of the Indian agriculture depends upon the seasonal rainfall. If the monsoons fail once, the drought is sure to

lead to scarcity of food stuffs and fodder. The result of such a situation is the same as is caused by a financial crisis in an Industrial country. Many people are deprived of earning their livelihood, and the result is starvation. The old remedy of prohibiting the exportation of grain or punshing those who avoided it, accompanied by distribution of relief, were not adequately acted up to before the 19th century. The Government had been for a long time thinking of thoroughly investigating the famine conditions and formulating measures to counteract its consequences. A famine commission was appointed, which sat from 1878 to 1880. Its recommendations were embodied in the Famine code of 1883. They were based on three main principles. Instead of waiting for the actual outbreak of the famine, the provincial Governments were henceforward to be ready with schemes thought out and pigeon-holed before and ready for use when need arose. The gratuities were to be allowed to the important poor only. Lastly, "Famine Insurance', was to be taken up, that is, the annual budget was to include a sum of a crore and a half of rupees to be raised by taxation. This was to be used partly in avoiding

debts and partly in the construction of protective works, railways and canals, so useful in times of famine and drought.

As regards irrigation works, the old cauals of Hindu and Mohammeden times were revived in most cases. New works were also constructed where necessary. But sufficient capital could not be raised easily. Private capital was lured. Two companies. the Madras Irrigation company and the East India Irrigation Canal company were formed. Both proved failures and the policy of guaranted companies came to an end. Lawrence introduced another policy. Loans were raised for irrigation works likely to pay their own way in the long run. Under this scheme great engineering works have been accomplished. River water has been compounded and distributed. Noteworthy successes have been achieved in the Punjab and Sindh, yet greater schemes are in progress in both these areas. Very large tracts of land barren and sterile have been brought under the plough by these vigorous measuers.

Co-operation.

Indian agriculture has mainly been so far stagnant. Various reasons may be adduced for this. Some of the most important are the

indebtedness of the ryots and lack of capital. Unfortunatly most of these loans are for non productive purposes. The cooperative movement in India has aimed at alleviating the ryot's misery on account of indebtedness and provides him with capital to improve his land and machinery.

The movement started 1904 when the cooperative Societies' Credit Act was passed. Under this only credit societies could be started. In 1912 formation of Societies other than the Credit Societies was allowed. Since then various Societies with different aims have been started. Distribution of seed, purchase of manures and implements, cattle insurance are some of their aims. There also exist co-operation dairies and cotton ginning factories. The Societies also circulate occasionally literature for the improvement of agricultural methods and knowledge. The progress has been so far very encouraging and the movement now occupies a prominent place in the field of agricultural development. Bombay and the Punjab lead the country in this respect.

The cultivator has also been saved from the clutches of the money lender, though much remains to be done yet. It is estimated that

on account of these co-operative Credit Societies, from five to six millions are saved anually. However, the movement is still in its infancy and is on the threshold of its work.

TENANCY RIGHTS IN INDIA.

Another feature of the modern economic development has been the definition and codification of the position occupied by different sections of society. When custom ruled, need for legal definition of rights was not very much felt. The modern era in Indian history has, by weakening custom, emphasised the need for legal definition of rights and privileges. The tenancy legislation that began in the year 1859 was partly by way of definition and partly by way of allowing the tenants to share concessions granted to the landlords.

Up to the middle of the nineteenth century the individualist economic doctrines prevailed in the country excluding the right of the state to come between the landlords and the tenants. After the Mutiny, however, it was felt that something was due to the tenant, subjects of the crown as well, and the first fruits of this feeling appeared in the Bengal Tenancy Act of 1859.

This act was applicable to Bengal and the Central Provinces. It provided that if a tenant had been paying the same rent for the last twenty years, he would become an occupancy

tenant. His rent could not be raised, and he could not be evicted. His rights would descend to his heirs as long as he had any. Tenants who had been paying the same rent for the last 12 years were assured of their holdings. They could not be evicted except for non-payment of rents. Their position was further secured by the provision that their rent could not be raised except under certain specified conditions.

The landlords at first treated it as an invasion of the rights granted to them under Lord Cornwalis's Settlement of 1793. In 1865 a case came up before the Full Bench of the Calcutta High Court wherein the validity of the act was questioned. The judges however decided that the settlement of 1793 did not preclude the state from defining the rights and privileges of the tenants, just as it had done to define those of the landlords in 1793.

2. The Punjab Tenancy act followed in 1867. The landlord here had not been granted any special privileges as in Bengal. Thus it defined the conditions under which a tenant would acquire occupany rights. The occupying tenant could not be evicted from his holding. His rent could be raised only under certain specified conditions. He could sell his rights

in the land. He was to be allowed to make improvements in the land he cultivated and was tc receive compensation for them.

3 The Oudh Tenancy act 1868.

When the problem of the Punjab tenant was solved, the question of the position of the tenants in Oudh was also brought under examinations. The local Lieutenant Governor Wingfield, however, opposed the project as long as he could, but with the appointment of Lord Lawrence as the viceroy, matters moved apace. The act of 1868 confered upon the tenants of Oudh valuable rights. Their rent could only be raised by the courts. When their rent was raised, they were granted compensation for any improvements they may have made

4. The Bengal Tenancy act of 1885 systematised and codified the whole system of tenant rights in Bengal.

5. Oudh Rent act of 1888 safeguarded the interests of the tenants at will, as well. If the produce of the lands became better on account of any improvements they had effected, their rent could not be raised They could not be evicted arbitrarily. If and when evicted, they were to receive fair compensation for any improvements they may have made in the land.

These formed pioneer legislation in the field. But the work they began has been carried on so that the "petty occupiers of Madras, Bombay, Burma, and Assam have become proprietors of their holdings subject to the payment of a moderate land revenue. For nearly every other province in India laws have been passed according tenant rights to all occupiers and have prohibited eviction or enhancement of rent save by consent or by decree of court on good cause shown, and granting the ryots power to bequest or sell their tenant rights."

END.

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